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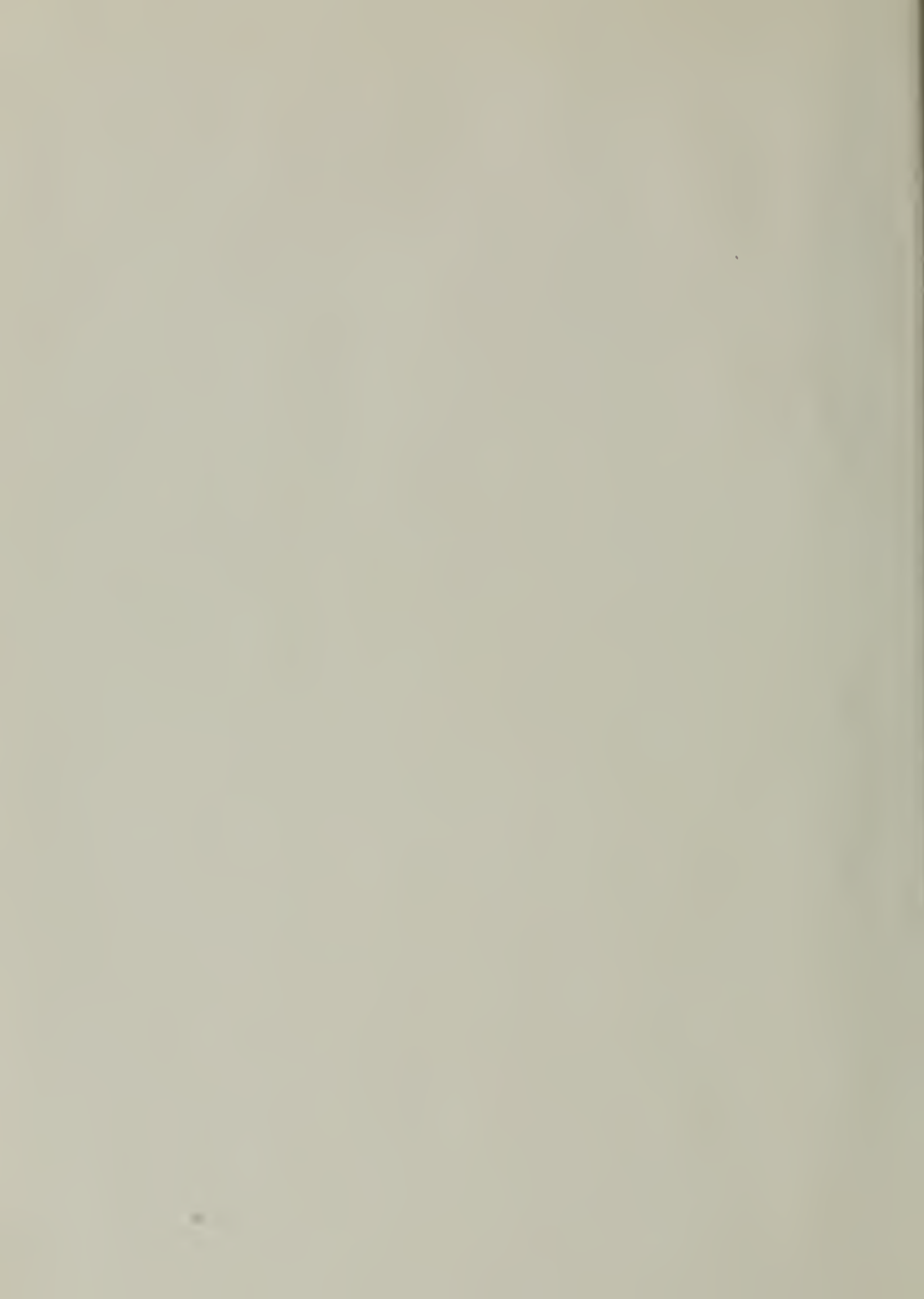
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INVENTORY OF THE COUNTY ARCHIVES

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ILLINOIS HISTORICAL SURVEY

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* CLINTON

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NO. 20

THE HISTORICAL RECORDS SURVEY

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206

INVENTORY OF THE COUNTY ARCHIVES
OF ILLINOIS

NO. 20. DE WITT COUNTY

To bring together the records of the past and house them in buildings where they will be preserved for the use of men living in the future, a nation must believe in three things. It must believe in the past. It must believe in the future. It must, above all, believe in the capacity of its people so to learn from the past that they can gain in judgment for the creation of the future.

- Franklin Delano Roosevelt

INVENTORY OF THE COUNTY ARCHIVES
OF ILLINOIS

NO. 20. DE WITT COUNTY (CLINTON)

Prepared by

Illinois Historical Records Survey
Division of Community Service Programs
Work Projects Administration

Sponsored by

The Governor of Illinois

* * * * *

Chicago, Illinois
Illinois Historical Records Survey
Illinois Public Records Project
December 1941

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FOREWORD

The Inventory of the County Archives of Illinois is one of a number of guides to historical materials prepared throughout the United States by workers on the Historical Records Survey Projects of the Work Projects Administration. The publication herewith presented, an inventory of the archives of De Witt County, is number 20 of the Illinois series.

The Historical Records Survey was undertaken in the winter of 1935-36 for the purpose of providing useful employment to needy unemployed historians, lawyers, teachers, and research and clerical workers. In carrying out this objective, the project was organized to compile inventories of historical materials, particularly the unpublished government documents and records which are basic in the administration of local government, and which provide invaluable data for students of political, economic, and social history. Up to the present time, approximately 1,500 publications have been issued by the Survey throughout the country. The archival guide herewith presented is intended to meet the requirements of day-to-day administration by the officials of the county, and also the needs of lawyers, business men, and other citizens who require facts from the public records for the proper conduct of their affairs. The volume is so designed that it can be used by the historian in his research in unprinted sources in the same way he uses the library card catalog for printed sources.

The inventories produced by the Historical Records Survey Projects attempt to do more than give merely a list of records - they attempt further to sketch in the historical background of the county or other unit of government, and to describe precisely and in detail the organization and functions of the government agencies whose records they list. The county, town and other local inventories for the entire country will, when completed, constitute an encyclopedia of local government as well as a bibliography of local archives.

The successful conclusion of the work of the Historical Records Survey Projects, even in a single county, would not be possible without the support of public officials, historical and legal specialists, and many other groups in the community. Their cooperation is gratefully acknowledged.

The Survey was organized by Luther H. Evans, who served as Director until March 1, 1940, when he was succeeded by Sargent B. Child, who had been National Field Supervisor since the inauguration of the Survey. The Survey operates as a nation-wide series of locally sponsored projects in the Division of Community Service Programs, of which Mrs. Florence Kerr, Assistant Commissioner, is in charge.

HOWARD O. HUNTER
Commissioner

PREFACE

This inventory of the records of De Witt County is the thirty-first publication in the county archives series now being prepared by the Illinois Historical Records Survey. Similar inventories are being compiled by other Historical Records surveys throughout the country, the ultimate goal being to survey the archives of the 3066 counties in the United States. The program was initiated nationally in 1936 as part of the Works Progress Administration, now the Work Projects Administration. Under the administration of the Division of Community Service Programs the nation-wide project was technically directed by Dr. Luther H. Evans until March 1940, when he was succeeded by the present National Director, Sargent B. Child. Since February 1941, the Survey in Illinois has been a unit of the Illinois Public Records Project. The present state sponsor of the project is the Honorable Dwight H. Green, Governor of Illinois.

In compiling this inventory, the Survey has sought to locate, describe and classify all extant county records and to make them more easily accessible to county officials, the general public, and research workers. It is believed that the inventory will be useful as a guide to the archives wherein may be found much important information in the field of history, sociology, political science, and economics, and that it will result in a greater interest in their preservation. While some historians have realized this for many years, the general public has never been made aware of the intrinsic worth of this material. In the official documents of De Witt County are found the materials of another chapter of the story of the coming into the Illinois wilderness of settlers who created a territory and the rudiments of a simple frontier government, bought and sold land, built roads, established schools, and later founded a state.

A more immediate use to which the county inventories may be put has developed as a result of the increased utilization of public vital statistics records in the present national emergency. The inventorying of county records during the past five years as part of the regular public archives program of the Survey has enabled it to publish a Guide to Public Vital Statistics Records in Illinois which is simply a condensed inventory of all birth, death, and marriage records in the 102 counties in the state. Consultation of this guide and all county inventories published thus far has proven helpful in locating birth and other vital records.

The Illinois Historical Records Survey has been of considerable assistance to local and county governments. Records have been rearranged and made more accessible, material believed to be lost has been located, indexing projects have been fostered, and county officials have been encouraged and induced to provide new equipment for their offices and better storage space for the records.

In addition, the program of the Survey has been planned to dovetail with the long-range plans of the State of Illinois for the care of state and local archives. For example, the first step, the removal of all state records to a new Archives Building, has been materially aided by the preparation of preliminary inventories by survey workers for the various state departments. Furthermore, the program of the state for the preservation of county records, including the making of microphotographic copies of all important historical documents, obviously presupposes inventories such as the Illinois Historical Records Survey is now making.

The inventories being compiled by the Historical Records Survey Projects also make possible for the first time a scientific study of the question of record destruction. Under Illinois law no records may be destroyed without specific enabling legislation. This provision, together with the tremendous increase in the quantity of records in recent years, has made it impossible for either the state or the counties to take care of the documents adequately. Hence, a certain amount of record destruction has been inevitable. If, as seems probable, a study of these inventories should lead to the enactment of adequate and sensible legislation governing the disposition of public records, these compilations may prove to be the most important contribution of the Survey.

Other phases of the Historical Records Survey's program now in active operation in Illinois are the publication of inventories of Federal, state, municipal, and church archives; guides to manuscript depositories and collections; calendars of certain selected collections; and checklists of early American imprints. (For list of Illinois publications, see p. 323, 324).

Preliminary work on the survey in De Witt County, the twentieth in the alphabetically arranged list of Illinois counties, was begun June 22, 1936 and completed August 1. Field forms of the survey were forwarded to the state office in Chicago in July 1937. Part of the forms were sent to the field for a recheck on March 18, 1938 and all forms were returned to the field December 1, 1938; these were received back in Chicago on August 28, 1939. Again, on November 20, 1940, the forms were sent back to the field supervisor for a final check, and returned December 30. Abstracting and transcribing county board records upon which much of the contents of this inventory is based, was started in September 1938 and finished in September 1940. The inventory was taken by Raymond Finney, David Boyd, Wesley Newcome, Herbert Pennington, Cal A. Atkinson, Francis H. Doty, Sydney M. Cool, Leon Lighthall, and Elmer Anderson, under the supervision of Kenneth C. Blood. Abstracting and transcribing of county board records was done by Leon Lighthall and Elmer Anderson.

The inventory was prepared for publication by the state editorial staff of the Illinois Historical Records Survey at Chicago under the direction of Herbert R. Rifkind, State Editor. The inventory proper

was prepared under the supervision of Martine O'Connor; the legal essays were compiled by Romeo Burwell; and Floyd I. Mulkey wrote the historical sketch. Under the supervision of Edward J. McDonough, in charge of collation and supplementary units, research data on the housing and care of records were assembled by Fred A. Komarek, and Charles J. Cooley compiled the roster of county officers. The inventory was indexed by John Kristy, and the maps and charts were drawn by Louis J. Mader. Dorothy Herold supervised the typing and mimeographing. Credit also must be given to the other members of the editorial, research, and typing staffs for their intelligent and diligent cooperation in the compiling of this inventory.

All of the officers of De Witt County cooperated in every way with the workers, and grateful acknowledgment of their aid is hereby made. I also wish to express appreciation for the assistance rendered by the officials of the Illinois Work Projects Administration. For the cover design we are indebted to the Illinois Art Project.

The inventory of the records of De Witt County will be available for distribution to governmental offices, libraries, schools, and historical societies in Illinois, and libraries and governmental agencies in other states. Requests for information concerning this or other publications of the Illinois Historical Records Survey should be addressed to the State Director.

Thomas R. Hall
State Director
Illinois Historical Records
Survey

December 12, 1941

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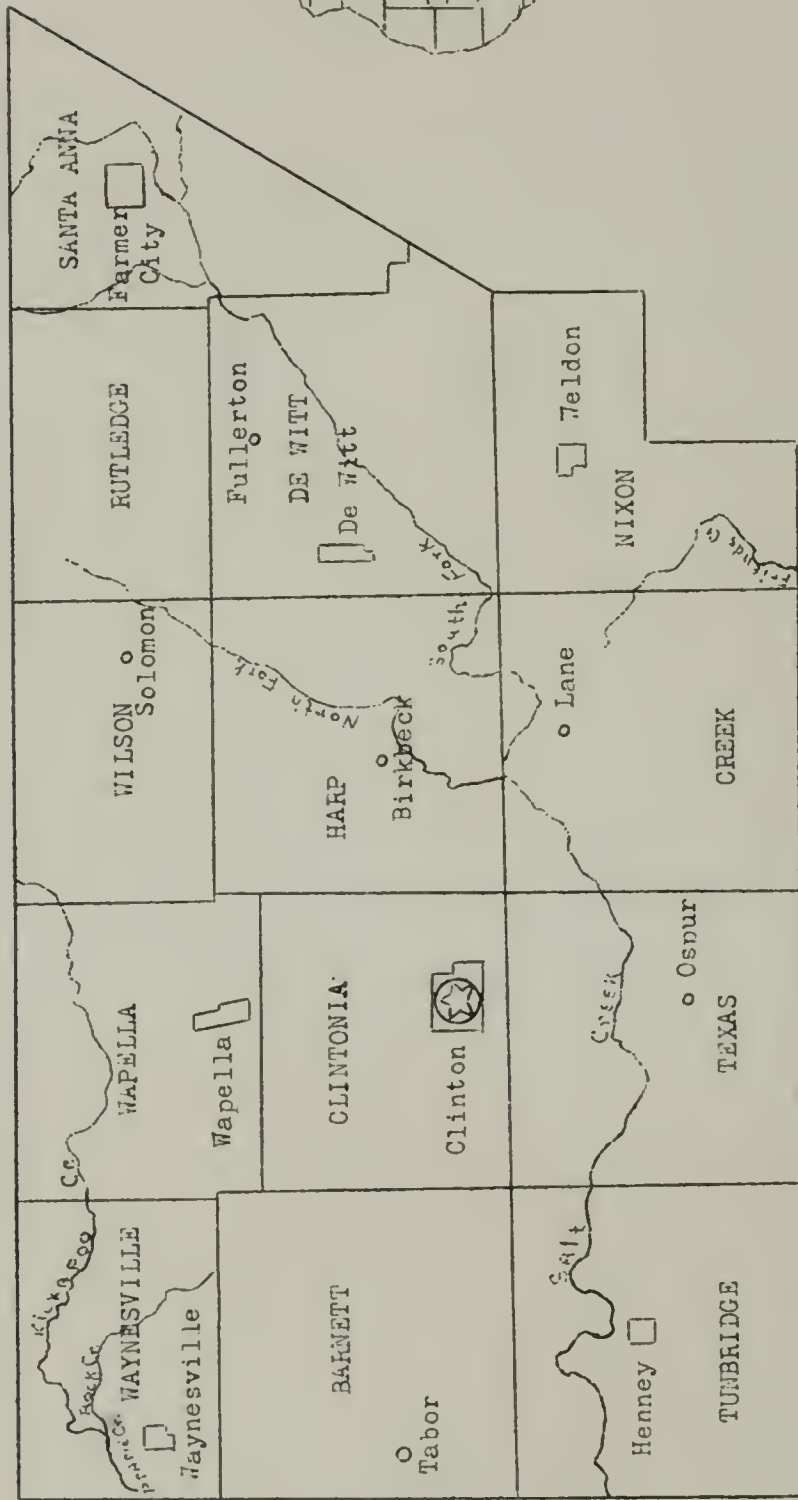
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A. DE WITT COUNTY
and
ITS RECORDS SYSTEM





DE WITT COUNTY — ILLINOIS

1. HISTORICAL SKETCH

Significant Aspects of De Witt County

Overview of the County

De Witt County is located near the geographical center of Illinois, with its southern boundary a few miles north of the fortieth parallel of latitude. The county is almost equidistant from Chicago and St. Louis, being nearly 150 miles from each. It is bounded on the north by McLean County, on the west by Logan, on the south by Macon, and on the east by Piatt. The broken southwesterly direction of its eastern boundary prevents it from being a perfect rectangle. The area of De Witt is officially given as 415 square miles.¹ The county has seven full and six fractional congressional townships;² it extends 30 miles from east to west at its greatest width and 16 miles from north to south.

The economy of the county is quite typical of agricultural Illinois. Nearly one half of De Witt's 18,244 people (1940 census) live outside the limits of incorporated municipalities. Only two towns, Clinton (6,331 in 1940) and Farmer City (1,833), exceed 1,000 in population. The county seat, Clinton, with over one third of the county population,³ is an agricultural distributing center and also the location of railroad shops of the Illinois Central.

Physical Characteristics

De Witt County is located in the drainage area of the Illinois River. The principal stream is Salt Creek, formed by the junction of North Fork and South Fork near Clinton. The northwestern section of the county is drained by Kickapoo Creek. Both streams follow their separate courses to the Sangamon River, by which their waters are carried to the Illinois.

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1. Illinois Department of State, Blue Book of the State of Illinois, 1935-36, p. 796. Another official publication, however, gives the area as 440 square miles (Illinois Department of State, Counties of Illinois, p. 66). There are other estimates of the area, some under 400 square miles. A careful checking of a surveyed county map indicates that the 415 figure is approximately correct. The confusion is caused in part by imperfections in the original government surveys.
 2. A congressional township is an arbitrary, geographical division, six miles square subdivided into sections one mile square as surveyed throughout the western public lands of the United States. A political or civil township is a local unit of government which, in Illinois, is usually, but not always, based on congressional township lines.
 3. For summary of population, see Table V, p. 13.

The county is gently rolling, except in the northwest where the surface is somewhat rugged and broken. During ages past, the region was covered successively by two great ice sheets, the Illinoian and the Wisconsin; the surface drift in the soil, however, belongs almost entirely to the later ice invasion. Before the coming of the white men, De Witt was a part of the Grand Prairie of central Illinois, with only a few small islands of timber land along the streams. Early settlers found the prairie grass as high as the head of a man on horseback.¹

In altitude the county shows little variation, with most of the area lying about 700 feet above sea level.² As to climate De Witt has an average annual precipitation of 39.69 inches;³ a temperature ranging from a mean of 26.8 degrees Fahrenheit in January to 76.4 in July; and an average growing season of 173 days.⁴

Early Inhabitants

The earliest known inhabitants of the De Witt region were a native American people popularly called mound builders. In several parts of the county there are prominent mounds which serve as monuments of this mysterious civilization. At the beginning of historic times the several tribes of Illinois Indians were in complete control of the western and central parts of the state named for them. The principal towns of these Indians were located along the Mississippi and Illinois rivers; the Grand Prairie section, including present-day De Witt County, was used chiefly as a hunting ground. After 1700, however, as the Illinois declined in numbers and in power they were pushed southward and westward by the neighboring tribes. The Kickapoos trod on the heels of the retreating Illinois and soon they had firmly established themselves in the central part of the present-day state. Here they, together with bands of Potawatomes, remained in undisputed occupation until forced beyond the Mississippi by the relentless pressure of the incoming white settlers.⁵ Soon after the

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1. History of De Witt County, Illinois, p. 36. Hereinafter cited as History of De Witt (Brink).
 2. The elevations of the principal towns are as follows: Wapella, 747; Clinton, 745; De Witt, 745; Parnell, 740; Farmer City, 732; Waynesville, 713; Tabor, 668; and Kenney, 652 ("Dictionary of Altitudes in Illinois," State Geological Survey, Bulletin No. 30, p. 115-55).
 3. U. S. Weather Bureau, Climatic Summary of the United States, section 57, Central Illinois, p. 9.
 4. J. G. Mosier, Climate of Illinois, Bulletin No. 208, p. 36, 38. This summary on climate is for the region of central Illinois; it covers the period from 1876 to 1915.
 5. For an account of the Indians of Illinois, see Hiram W. Beckwith, "Some Account of the Indian Tribes Formerly Inhabiting Indiana and Illinois," Fergus Historical Series, III, 99-183.

Historical Sketch

beginning of the nineteenth century the degenerated Illinois Indians, then living along the Mississippi not far from St. Louis, surrendered to the United States their ancient claims over the region which included De Witt. The Kickapoos, residing in the area, retained control of the land until July 30, 1819, when they signed their rights away at the Treaty of Edwardsville.¹ Even after giving up the title to their homeland they continued to reside there until their hunting grounds were broken up by the plow about 1830.

Early Settlers

The section now within De Witt remained almost untouched by white civilization during the period when the first wave of settlers was flowing into the timber lands easily reached by water transportation. After overflowing the wooded valleys and the forest-fringed country beyond, the tide of population spread out onto the prairies.

The earliest settlements in De Witt County were made in the period from 1824 to 1831. The first settlers were a party of five, consisting of Zion and Edon Shugart, their mother, and Elisha Butler and his wife, who came into what is now Tunbridge Township late in 1824. A short time later they were joined by John Coppenbarger.² Other early pioneers and the township in which they settled were: Benjamin and Landers Slatten, Josiah Clifton, and Alexander Barnett in Clintonia; John Donner, Dennis Hurley, and Richard Kirby in Santa Anna; Prettyman Marvel, Samuel Curtwright, and James K. Scott in Waynesville; John P. Glenn, John Young, and William Vinson in Wapella; Mahlon Hall, Mason Paine, and Franklin Barnett in Barnett; Cicero Twist, John N. Manlove, and George, William, and Morris Nixon in Nixon; Abram Lisenby, John Miller, and Ezekiel Lane in Creek; Thomas Davenport, Nehemiah Clifton, and John Lowry in Texas; John Lash, Michael Troutman, and John Wilson in Wilson; Charles McCord, Jacob Vandeventer, and William J. Rutledge in Rutledge; Solomon Cross, Jesse Mulkey, and Joseph and Tyre Harp in Harp. The majority of these early settlers were from Kentucky and Tennessee.³

In 1830 there were not more than 250 inhabitants within the present limits of the county, while the land entered did not exceed 2,500 acres.⁴

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1. "Treaty with the Kickapoo, 1819," Charles J. Kappler, comp. and ed., Indian Affairs Laws and Treaties, II, 127-29.
 2. History of De Witt County, Illinois, I, 397. Hereinafter referred to as History of De Witt (Pioneer).
 3. History of De Witt (Brink), see separate chapters on townships.
 4. Ibid., p. 30.

By the time De Witt County was established in 1839 about one third of the full area had come into the possession of bona fide residents.¹ A year later the Federal census disclosed a population of 3,247.² This growth was indeed phenomenal for a region which had only the poorest connections with the outside world. St. Louis, the principal market, was reached by overland transportation to Pekin, and by steamboat down the Illinois River. With such poor access to markets, the pioneers were forced to live largely by subsistence farming and by a system of community barter. The manner in which they surmounted these hardships is a tribute to the hardy men and women who transformed the prairie wilderness into the farming garden which we see today.

Economic Aspects of County Life

De Witt is one of the counties which contribute materially to the high rank held by Illinois in agriculture.³ Grading the county soils by index numbers from 1 to 10, with 1 as the most productive and 10 as submarginal, the Illinois Soil Survey found that De Witt has 78.9 percent of its soils in the three most fertile grades and only 4.5 percent in the three poorest, compared with state percentages of 30.8 in the three best and 30.4 in three lowest grades.⁴ Today, slightly more than 90 percent of the county's area is in farms.⁵ Corn has the largest acreage; in 1929 no less than 40 percent of the farm land was in this crop, while other grain crops took up 28 percent.⁶ The average corn yield during the period 1924-33 was 34.4 bushels per acre, compared with the average yield for the state of 34.9.⁷ In 1937 the value of the corn crop amounted to \$2,475,000, while the value of the ten leading crops was \$3,882,670.⁸ In 1929, 53.8 percent of the county farm income was derived from crops, 25.6 from livestock, and 11.7 from livestock products.⁹ As to tenancy, the De Witt statistics are much less satisfactory. In 1930 no less than 58.9 percent of the farm land was operated by tenants, compared with the state percentage of 43.1.¹⁰ The

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1. History of De Witt (Brink), p. 59.
 2. U. S. Census Bureau, Sixth Census or Enumeration of the Inhabitants of the United States, 1840, p. 378.
 3. See Table I, p. 7.
 4. Farm, Home and Community with Special Reference to Type-of-Farming Area 4A, p. 16. Hereinafter referred to as Farm, Home and Community.
 5. Ibid., p. 4.
 6. Ibid., p. 27.
 7. Ibid., p. 29.
 8. Illinois Crop and Live Stock Statistics, Crops 1937-38, Live Stock 1937-38-39, Circular No. 440, Illinois Cooperative Crop Reporting Service, Department of Agriculture, p. 24, 46.
 9. Farm, Home and Community, p. 73.
 10. U. S. Bureau of the Census, Fifteenth Census of the United States; 1930, Agriculture, v. II, Part 1, The Northern States, p. 649.

TABLE I: Agricultural Statistics, 1850-1930

Item	1850	1860	1880	1900	1920	1930
Number and Value of Farms: Number						
Acres Improved	482	--	2,055	1,691	1,586	1,439
Acres Unimproved	36,945	116,063	229,080	219,380	224,783	242,091
Value of Farms	48,402	44,793	32,044	--	--	--
Value of Implements and Machinery	\$ 788,270	3,526,751	8,038,809	17,022,020	79,994,597	35,510,971
Estimated Value, Farm Production	\$ 43,017	--	220,128	360,180	2,115,632	1,439,747
Livestock and Livestock Products: Value	\$ --	--	1,728,368	2,559,394	8,378,519	4,182,664
Number of: Horses	\$ 170,674	628,313	1,165,877	1,541,273	3,292,807	2,206,938
Mules and Asses	1,760	4,558	9,345	12,110	12,501	7,642
Working Oxen	75	153	902	824	1,069	756
Milch Cows	551	528	11	--	--	--
Other Cattle	2,046	3,077	4,818	--	--	--
Sheep	3,693	5,856	11,233	18,887	16,600	16,069
Swine	7,402	5,081	15,348	13,618	6,640	--
Value of Animals Slaughtered	10,364	18,036	48,541	51,223	36,961	36,085
Pounds of Wool Clipped	\$ 17,441	227,363	--	90,159	--	--
Gallons of Milk	18,833	22,407	81,418	67,735	37,054	43,492
Pounds of Butter	--	--	17,447	1,988,428	1,411,888	2,961,725
Pounds of Cheese	59,606	211,315	370,083	354,247	208,016	136,721
Cereal Grains:	6,044	5,790	1,338	--	10	--
Bushels of: Barley	15	3,793	500	20	5,474	26,830
Buckwheat	1,136	11,572	916	20	115	--
Corn	704,600	1,409,251	3,998,071	5,044,220	5,713,504	3,690,307
Oats	45,737	36,369	663,062	2,292,050	1,439,676	1,909,187
Rye	620	3,269	52,933	1,950	3,899	1,520
Wheat	22,401	151,375	190,337	51,760	542,135	283,528
Others: Sorghum Molasses (Gallons)	--	4,773	10,389	1,499	2,082	166
Hay (Tons)	2,083	6,833	14,656	16,683	21,617	19,239
Clover Seeds (Bushels)	--	--	96	380	--	2,959
Poultry (Number)	--	--	80,612	121,685	161,030	132,553
Eggs (Dozens)	--	--	356,553	574,770	501,644	757,555
Honey and Wax (Pounds)	9,128	21,437	30,973	22,530	19,208	43,927
Tobacco (Pounds)	4,950	6,680	3,499	--	--	--
Value of Homemade Manufactures	\$ 12,956	3,583	--	--	--	--

1. Seventh Census, 1850, p. 728,730,734; Eighth Census, 1860, 11, Agriculture, 30,31,32,33; Tenth Census, 1880, 11, Agriculture, 44,111,149,185,220,266,267; Eleventh Census, 1900, V, Part 1, Agriculture, 273,430,431,507, 67,675; ibid., VI, Part 2, Agriculture, 160,270,367,485,634; Fourteenth Census, 1920, v. VI, Part 1, p. 371,388, 396; Fifteenth Census, 1930, Agriculture, v. II, Part 1, p. 568-84, 501-601,633-39.

problem of soil erosion is also steadily becoming more acute. Estimates of the degree of erosion throughout the county are as follows: destructive, 3.6 percent; serious, 3.9; harmful, 53.3; negligible, 39.3.¹

Even in such a farming community, slightly more than 60 percent of the gainfully employed population is engaged in nonagricultural pursuits. In 1929, De Witt had eleven manufacturing establishments, which turned out products valued at \$1,620,269 and employed 502 persons, paying them \$653,672 in wages.² Transportation is even more important in the county's economy. In 1935 the Illinois Central Railroad Company, with shops located at Clinton, employed 676 and had 35 persons living on pensions. The total expenditures of this railroad in De Witt were \$1,193,349. This is the largest industry in the county.³ There is no mining whatever, except a few gravel pits doing local business.

Social Aspects of De Witt

The population of De Witt County belongs almost entirely to old American stock. In 1890, out of a population of 17,011, there were only 850 persons of foreign birth and 64 Negroes.⁴ Most of the foreign born were from Ireland, England, and Germany. In 1930 the foreign-born population numbered 208, the colored only 56, out of a total of 18,598.⁵ It is also significant to note that the county has lost population steadily since 1900, although it did make a temporary gain between 1910 and 1920.⁶

In politics De Witt County has been traditionally Republican, but by a narrow margin. The continued Republican victories year after year by small majorities indicate great rigidity of party lines. In

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1. Farm, Home and Community, p. 24.
 2. U. S. Bureau of the Census, Fifteenth Census of the United States, Manufacturers: 1929, III, 140. (See Table II, p. 9.)
 3. Manuscript material on De Witt County, Illinois in files of Federal Writers Project, Chicago. Information obtained by interview with Illinois Central Agent at Clinton.
 4. U. S. Bureau of the Census, Report of the Population of the United States at the Eleventh Census, 1890, I, 408.
 5. U. S. Bureau of the Census, Fifteenth Census of the United States, 1930, Population, v. III, Part 1, p. 601.
 6. See Table III, p. 10.

TABLE II: Manufactures, 1850-1937¹

Item	1850	1860	1880	1900	1920	1930	1937
Number of Establish- ments	-	44	70	86	28	11	9
Capital	17,700	118,300	159,575	231,263	-	-	-
Average Number of Employees	45	114	187	267	537	502	109
Wages	-	43,104	46,360	125,412	819,365	653,672	63,594
Cost of Materials	-	151,304	125,468	226,420	898,369	686,978	522,505
Value of Products	19,462	233,315	238,211	465,162	1,921,111	1,620,269	837,156

1. U. S. Secretary of State, Statistical View of the United States. A Compendium of the Seventh Census, 1850, p. 223; U. S. Secretary of the Interior, Eighth Census of the United States, 1860, III, Manufactures, 88; U. S. Department of the Interior, Tenth Census of the United States, 1880, II, Manufactures, 107; ibid., Twelfth Census, 1900, v. VIII, Part 2, p. 168, 169; U. S. Bureau of the Census, Fourteenth Census, 1920, IX, Manufactures, 311; ibid., Fifteenth Census, 1930, Manufactures, III, 140; ibid., Biennial Census, Manufactures, 1937, Part 1, p. 1452.

TABLE III: Population and Its Origin, 1840-1940¹

General Population Figures				States of Origin, 1870 and 1880			Countries of Origin of Foreign Born			
Year	Total Population	Colored	Foreign Born	State Born In	1870	1880	Country	1870	1900	1930
1840	3,247	1	-	Illinois	7,547	10,322	Ireland	407	259	53
1850	5,002	1	47	Ohio	2,924	2,462	Great Britain	186	152	38
1860	10,820	6	433	New York	322	322	Germany	123	124	42
1870	14,768	56	805	Pennsylvania	327	307	Scandinavia	9	58	15
1880	16,897	113	952	Indiana	686	749	British America	44	57	25
1890	17,011	64	850	Kentucky	633	592	France	14	8	--
1900	18,972	85	675	Missouri	--	144	Switzerland	6	4	4
1910	18,906	65	523	Tennessee	--	141	Bohemia	1	1	--
1920	19,252	111	310	Virginia	--	360	China	--	3	--
1930	18,598	56	208	Wisconsin	--	19	Hungary	--	2	4
1940	18,244	--	--				Italy	--	3	9
							Poland	--	3	9
							Russia	--	1	3
							Rumania	--	--	1
							Austria	--	--	2
							Yugoslavia	--	--	1
							Latvia	--	--	1
							Greece	--	--	4
							Turkey	--	--	2
							Others	15	--	2
							Total	805	675	208

1. U. S. Secretary of State, Sixth Census of the United States, 1840, p. 379; Statistical View of the United States, A Compendium of the Seventh Census, 1850, p. 701; U. S. Secretary of the Interior, Eighth Census of the United States, 1860, Population, p. 86, 102; Ninth Census of the United States, 1870, I, Population, 23,24,308, 351; U. S. Department of Interior, Census office, Tenth Census of the United States, 1880, I, Population, 387,504; Eleventh Census, 1890, I, Population, 16,535,745; Twelfth Census, 1900, v. I, Population, Part 1, p. 16,535,745,746; U. S. Bureau of the Census, Thirteenth Census, 1910, II, Population, 488; Fourteenth Census, 1920, III, Population, 253; Fifteenth Census, 1930, Population, v. III, Part 1, p. 615,637,639; Illinois Department Secretary of State, Official List of Counties and Incorporated Municipalities (1941), p. [3].

Historical Sketch

1932 and again in 1936, however, the county voted for Franklin D. Roosevelt by substantial majorities. The election in November 1940 gave 5,052 to Roosevelt and 5,447 to Wendell L. Willkie.¹

The religious activities of the county are conducted by nine major denominations. These have twenty-eight active churches with a combined membership of 6,328, plus the unlisted membership of four Roman Catholic churches and one Christian Science Society. The Methodists have the largest membership body with 2,850,² while the Disciples of Christ are not far behind with 2,254.³ Other denominations represented in the county are the Baptists, Presbyterians, Cumberland Presbyterians, United Brethren, and Congregationalists.⁴

Municipalities and Townships

De Witt County has seven incorporated municipalities, besides five hamlets not organized for village government. Clinton with 6,331 people in 1940 has a larger population than all the others combined.

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1. For the election returns of De Witt County for president and governor, see the following sources: John Moses, Illinois, Historical and Statistical, II, 1208-10 (for elections up to 1892); "Comparative Votes for President, 1892-1920, by Counties," p. 752-54, and "Comparative Votes for Governor, 1892-1920, by Counties," p. 755-57, in Illinois Department Secretary of State, Blue Book of the State of Illinois, 1923-1924. For election returns since 1920, see current Blue Book of the State of Illinois (book for biennium immediately following election year); for the returns of November, 1940, see Illinois Department Secretary of State, Official Vote, State of Illinois, 1940, p. 8. For vote for president, and parties represented, over a period of one hundred years, 1840-1940, see Table IV, p. 12.
 2. Methodist Episcopal Church, Illinois Annual Conference, Journal and Year Book (1939), p. 856,860.
 3. Disciples of Christ, 1938 Year Book of the International Convention, p. 379.
 4. Illinois Baptist State Convention, Illinois Baptist Annual 1939; Presbyterian Church in the U.S.A., Minutes of the Synod of Illinois (1939); Cumberland Presbyterian Church, Minutes, General Assembly (1939); Church of United Brethren in Christ, Illinois Conference, Ninety-Fourth Annual Session (1939); Congregational and Christian Churches, Year Book Statistics, 1938.

TABLE IV: Vote for President, 1840-1940¹

Election Year	Whig (1840-1852) Republican (1856 to date)	Vote	Democrat	Vote	Third Party	Vote
1840	Harrison	293	Van Buren	316		
1844	Clay	317	Polk	361		
1848	Taylor	373	Cass	363		
1852	Scott	516	Pierce	540		
1856	Fremont	623	Buchanan	679	Fillmore (American)	378
1860	Lincoln	1,258	Douglas	1,015	Bell (Union)	73
1864	Lincoln	1,271	McClelland	1,069		
1868	Grant	1,652	Seymour	1,340		
1872	Grant	1,734	Greeley	1,505		
1876	Hayes	1,928	Tilden	1,174	Cooper (Greenback)	746
1880	Garfield	2,011	Hancock	1,845	Weaver (Greenback)	168
1884	Blaine	1,987	Cleveland	1,981	Butler (Greenback)	56
1888	Harrison	2,042	Cleveland	1,976	Streeter (Labor)	60
1892	Harrison	2,059	Cleveland	2,083	Weaver (People)	86
1896	McKinley	2,587	Bryan	2,365	Bidwell (Prog.)	120
1900	McKinley	2,694	Bryan	2,361		
1904	Roosevelt	2,771	Parker	1,872		
1908	Taft	2,628	Bryan	2,155		
1912	Taft	1,346	Wilson	1,880	Roosevelt (Prog.)	1,306
1916	Hughes	4,380	Wilson	4,460		
1920	Harding	5,001	Cox	3,079		
1924	Coolidge	5,173	Davis	2,752	LaFollette (Prog.)	846
1928	Hoover	6,100	Smith	2,631		
1932	Hoover	4,207	Roosevelt	5,339		
1936	Landon	4,544	Roosevelt	5,676		
1940	Willkie	5,477	Roosevelt	5,052		

1. The figures for the election years 1844-1852, inclusive, were taken from the annual volumes of The Whig Almanac and United States Register; those for 1856-1908, inclusive, from The Tribune Almanac and Political Register; and those for 1912-1936, inclusive, from The Daily News Almanac and Yearbook. For the figures for 1940 see Illinois Department Secretary of State, Official Vote of the State of Illinois Cast at the General Election, November 5, 1940, p. 8.

Historical Sketch

The following table is a summary of population and other significant facts for the municipalities and villages of the county:

TABLE V: Summary of Population and Other Information Concerning Cities, Towns, and Villages of De Witt County

Towns	When Laid Out ¹	Legal Status ²	Date of Incorporation ³	Population in 1940 ⁴	Remarks
Clinton	Oct. 3, 1836	City	Feb. 15, 1855		
Farmer City	Jan. 28, 1837	City	Apr. 18, 1882	6,331	Mt. Pleasant former name
Wapella	-- 1854	Village	March 27, 1869	1,833	
Waynesville	June 4, 1832	Village	Aug. 8, 1872	496	
Weldon	-- 1872	Village	Feb. 26, 1876	564	
Kenney	-- 1871	Village	July 19, 1875	521	
De Witt	March 7, 1836	Village	May 25, 1892	483	Marion former name
Lane	-- 1873	Not inc.	Nov. 20, 1879	247	
Midland City	-- 1875	" "	July 3, 1879	157	
Hallsville	-- 1871	" "	-	122	
Parnell	-- 1880	" "	-	80	
Birkbeck	-- --	" "	-	34	
				25	

For purposes of local government, De Witt is divided into thirteen townships. This township organization was established in 1859 following an affirmative vote of the people.⁵ In general the boundaries of these political townships coincide as nearly as possible with the congressional township lines.⁶

1. Information obtained from History of De Witt (Pioneer), p. 311, 348, 375, 387, 388, 393, 400, 406, 409, 411, 420.
2. Information obtained from Illinois Department, Secretary of State, Official List of Incorporated Municipalities of Illinois, corrected September 1, 1939.
3. Ibid.
4. Population figures for incorporated places taken from U.S. Bureau of the Census, Sixteenth Census 1940, Illinois: Final Population, Series P-2, No. 47, p. 2-4; hereinafter cited as Illinois Final Population. The population figures for unincorporated villages are taken from Rand McNally Commercial Atlas (63rd ed., 1932), p. 152-57.
5. For an account of township organization in De Witt County, see p. 26, 27.
6. Table VI shows a summary of the population and other significant facts about the various townships, see p. 14.

TABLE VI: Summary of Population and Other Information Concerning Townships of De Witt County

Township	Location in County	Approximate Area (sq. mi.)	Towns Included	Population in 1940 ¹	Assessed Valuation in 1936 ²
Barnett	west, center	36	Hallsville	756	\$1,243,000
Clintonia	west of center	30	Midland City Clinton	7,538	4,436,000
Creek	southeast	36	Lane	827	1,171,000
De Witt	east, center	38	De Witt Parnell	759	974,000
Harp	east of center	36	Birkbeck	698	977,000
Nixon	s.e. corner	27	Weldon	935	1,056,000
Rutledge	northeast	24	none	344	682,000
Santa Anna	n.e. corner	29	Farmer City	2,277	1,602,000
Texas	southwest	36	none	561	955,000
Tunbridge	s.w. corner	36	Kenney	1,129	1,327,000
Wapella	northwest	30	Wapella	1,104	973,000
Waynesville	n.w. corner	24	Waynesville	987	806,000
Wilson	north, center	24	none	429	686,000

Beginning of De Witt County

Establishment

During the half century before the establishment of De Witt, the area passed from one jurisdiction to another. In 1790, with the organization of the Northwest Territory, this region became a part of Knox County. At the beginning of 1839, the present-day county was divided between McLean and Macon, with the latter holding much the larger portion. By this time the first stage of settlement had already passed. The movement for a new county was based upon the dissatisfaction which the people felt over traveling the long distances separating them from

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1. U.S. Bureau of the Census, Sixteenth Census 1940, Illinois: Population by Minor Civil Divisions, p. 2.
 2. Illinois Tax Commission, Survey of Local Finance in Illinois, v. II, Property Taxation: Assessed Valuations, Tax Rates, and Extensions, 1927-1936, p. 141.

Historical Sketch

Decatur and Bloomington, the county seats respectively of Macon and McLean. The movement was, however, organized and guided by men financially interested in the development of the Clinton townsite. This village had been laid out in 1836 by James Allen and Jesse W. Fell, who named it after De Witt Clinton, a former governor of New York, nationally known because of his promotion of the Erie Canal, and also a candidate for president against James Madison in 1812. Allen and Fell entered much of the land about the Clinton townsite and they made a handsome profit from the sale of lots.¹ In 1839, Allen, a member of the General Assembly, was able to guide the act of establishment through the legislature. The act creating De Witt County was approved by Governor Thomas Carlin on March 1, 1839.² The new county was created out of the two northern tiers of townships in Macon County and a tier of fractional townships from McLean.³

The county as created in 1839 was a rectangle in shape, 36 miles by 16 - with a tiny panhandle on the northwest 6 miles by 4 - a total area of 600 square miles. It is said that the new county might have had another tier of townships from Macon but this section was then unattractive, although today it is one of the most productive regions of the state.⁴ De Witt County, however, did not continue very long with

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1. Frances Milton I. Morehouse, "The Life of Jesse W. Fell," University of Illinois Studies in the Social Studies, v. V (June 1916), No. 2, p. 24. Fell, however, was much more than a land speculator. In the development of central Illinois he showed many qualities of real statesmanship. He deserves most of the credit for the early planting of trees in Clinton. His home was in Bloomington.
 2. L. 1839, p. 199-201. The county was named for De Witt Clinton.
 3. The boundaries were fixed as follows: "Beginning at the northwest corner of section numbered eighteen in township numbered twenty-one north, in range numbered one, west of the third principal meridian, and running thence, east on the section lines to the northeast corner of section thirteen, in township numbered twenty-one north, in range numbered six east; thence, south, on the range line between ranges six and seven, to the township line between townships numbered eighteen and nineteen north; thence, west, on the last mentioned township line, to the third principal meridian; thence, north, on said meridian line, to the township line between townships numbered twenty and twenty-one north; thence, west, on said last mentioned township line, to the range line between ranges numbered one and two west; and thence, north, on said last mentioned range line, to the place of beginning . . ." (L. 1839, p. 199).
 4. History of De Witt (Brink), p. 45.

the original boundaries. In 1840, E. W. Wright presented a petition signed by 476 persons asking for a division of the county. B. R. Warfield remonstrated against this proposal in a petition signed by 441 voters.¹ The majority of the people thus apparently favored the division of the county. As a result of these petitions and similar ones presented in Macon County, a new county was created by the General Assembly and named Piatt.² This division took away from De Witt approximately 160 square miles on the east and gave the county the irregular eastern boundary which it has today.³ There was evidently some dispute as to the exact course of this boundary because on February 18, 1870, the De Witt board of supervisors appointed William McCord and James Kelley as a committee to establish the line between Piatt and De Witt.⁴

In 1845 De Witt lost still more territory when the General Assembly amputated the tiny panhandle on the northwest and attached it to Logan.⁵ The loss of this small territory made the western boundary a straight line from north to south, as it is today.

Organization of the County Administration

The legal existence of De Witt County dates from March 1, 1839. The actual organization of the county administration, however, was a rather lengthy process, extending over several years. The legislative act of creation provided that on the first Monday in May 1839, the voters of the new county should select the seat of justice by choosing between Clinton and Marion. This provision led to a warm contest for the county seat. The people of Marion used every means possible to advertise the advantages of their town. Yet when the election was held on May 6, 1839, Clinton won by a substantial majority, 313 to 180.⁶

1. History of De Witt (Brink), p. 68.

2. L. 1841, p. 71-74.

3. The boundary between De Witt and Piatt was fixed as follows: "Beginning where the north line of town fifteen north intersects the middle of range four east, and running thence north through the middle of range four to the middle of town nineteen [the De Witt-Piatt boundary begins on this line at the beginning of town nineteen]; thence east to the west line of range five; thence north to the northwest corner of town nineteen north, range five east; thence by a direct line to the southwest corner of section seven, town twenty-one north, range six . . ." (L. 1841, p. 71).

4. Supervisors' Record, v. C, p. 442, see entry 2.

5. L. 1845, p. 189.

6. Commissioners' Record, v. A, p. 9, in Supervisors' Record, see entry 2. The village of Marion was never able to challenge Clinton's position again. Its name was later changed to De Witt.

Historical Sketch

Two times since 1839 Clinton has had to defend its position as the county seat. After the construction of the Illinois Central Railroad a new rival appeared. The town of Wapella, looking forward to a prosperous future with its railroad shops, made a determined bid for the county seat in 1857, but failed. Not discouraged by this set back, it tried again in 1879 without success. Shortly after this second failure the railroad shops were moved to Clinton.¹

The act for the formation of the county provided also that the voters should, at the first election, choose a sheriff, a coroner, a recorder, a county surveyor, a probate justice, a clerk of the county commissioners' court, and three county commissioners, all of whom were to hold their offices until the next general election. The first meeting of the De Witt county commissioners' court was held on May 14, 1839, with John Maxwell and James Vandevanter present as the first commissioners. John J. McGraw, the newly elected clerk of the court, took his oath of office and gave bond.² On the next day John Hughes³ appeared and took his oath of office as the third county commissioner. The three commissioners then proceeded to draw for terms, Maxwell drawing the one-year term, Vandevanter two years, and Hughes three years.⁴ Maxwell served only until the following August, at which time Russell Post was elected to succeed him.⁵

On May 16, 1839, William Lowery appeared and took his oath as the first county recorder.⁶ At the same time Fleming G. Paine was sworn in as probate justice.⁷ Other elected officials were: E. W. Fears, sheriff, Alexander Barnett, county surveyor, and Isaac McCuddy, coroner.⁸ Several county officers were appointed by the commissioners' court. On May 17, 1839, John J. McGraw, the elected clerk of the court, was selected school commissioner and Jesse C. McPherson was appointed county treasurer. The two promptly accepted and gave bonds.⁹ William H.

1. History of De Witt (Pioneer), p. 393.

2. Commissioners' Record, v. A, p. 2, in Supervisors' Record, see entry 2.

3. Ibid., p. 4.

4. Ibid., p. 9.

5. Maxwell did serve a later term as county commissioner (1845-1849), also a term as associate county justice (1849-1853).

6. Commissioners' Record, v. A, p. 10.

7. Ibid.

8. Ibid., p. 2. The name of the coroner was obtained from Secretary of State's records.

9. Ibid., p. 12.

Lafferty was named tax collector, and in addition he was selected as one of the three tax assessors, the other two being John Swearingen and Daniel Dragstrem.¹

Another task of the commissioners during their early meetings was the division of the county into election precincts and road districts and the appointment of the necessary officials. The following judges of election were selected: Richard Webb, John Donner, and Dennis Hurley for Mt. Pleasant precinct; James McCord, Gabriel Watt, and Hiram Chapman for Marion; Henry Brown, Andrew W. Wallace, and Thomas Fruit for Clinton; Samuel P. Glenn, Williams Hougham, and Samuel Spencer for Long Point; Andrew Brock, John Blettsen, and John Barr for New Castle; John Madden, Ezra Marcus, and George Waller for Sangamon; Joblum Cantrall, Thomas Cuppy, and David Montgomery for Waynesville.² At the same meeting the county was laid off into nineteen road districts and a supervisor was appointed for each.³

De Witt County began its political existence under financial handicaps. The assessed valuation of the property subject to taxation was \$114,786.75;⁴ with a tax rate of thirty cents on one hundred dollars of property the prospective revenue was only \$344.36. Yet the first financial statement, made in December 1839, reported a balance of \$479.58 in favor of the county.⁵ This amount, however, was a paper balance which concealed the real poverty of the county treasury. Actually, only \$34 in cash had been paid to the treasurer - \$24 in fines and \$10 for licenses - and of this amount, \$21 had been paid out, which left a cash balance of \$13. Besides this cash, the county's resources consisted of a promissory note of \$24 (never paid) and town lots donated by the proprietors of Clinton, which lots were appraised at \$1,369 (but sold years later for less than half of this amount), a total of \$1,406. Against these paper resources were set concrete obligations amounting to \$926.42, of which \$604 consisted of interest-bearing bonds made out to Henry Dishon for the construction of a temporary courthouse, while the remaining \$322.40 was in county orders issued and unredeemed. The total of ordinary expenditures from May to December 1839, was \$562.96, divided as follows: compensation to county officers, \$221; furniture for the courthouse and office rent, \$181.74; roads, \$104.62; election expenses, \$54.35; and paupers, \$1.25.⁶

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1. Commissioners' Record, v. A, p. 13,14, in Supervisors' Record, see entry 2.
 2. Ibid., p. 2-4,15.
 3. Ibid., p. 5-8.
 4. Ibid., p. 14.
 5. Ibid., p. 31.
 6. History of De Witt (Brink), p. 50.

Historical Sketch

Public Buildings

Temporary Courthouse, 1839-1849

Section 7 of the act creating De Witt County provided that the proprietors of the town which obtained the seat of justice should donate to the county the sum of \$2,000 or lots and lands equal to this amount. This fund was to be used for the construction of a courthouse or other necessary public buildings. Section 13 provided that before the construction of the courthouse the commissioners should provide some suitable room or building in which to hold the meetings of the circuit and county commissioners' courts.

On June 1, 1839 the county commissioners took steps to provide for a temporary courthouse. They authorized the construction of a building one story in height, 20 x 36 feet, "furnished in ordinary manner," the contract to be let to the lowest bidder.¹ Two days later the sheriff was ordered to let the contract to Henry Dishon, who had entered a bid of \$604.² The building was to be constructed on the public square in Clinton, as provided by section 7 of the act establishing the county. The commissioners accepted the building at their first meeting in early September 1839. Dishon was paid in two bonds of \$302 each, which were to bear interest at twelve percent and the first was to be paid in eighteen month, the second in thirty.³

Second Courthouse, 1849-1893

The makeshift structure built in 1839 served as the De Witt County courthouse for a decade. This delay in the construction of a permanent building was caused by the financial straits of the county.⁴ The \$2,000 contribution imposed on the proprietors of Clinton by the legislative act creating the county was liquidated in part only after some years. In September 1839, thirty-one lots were tendered to the county as a payment on this obligation; fourteen of these were donated by Jesse Fell, fifteen by James Allen, and two by Peter Withers. The

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1. Commissioners' Record, v. A, p. 14, in Supervisors' Record, see entry 2.
 2. Ibid., p. 16.
 3. Ibid., p. 18.
 4. For example, in 1849, after the completion of the permanent courthouse, the county still owed \$1,133.48 to Dishon for the construction of the temporary structure, \$604 in principal (the original amount) and \$529.48 in accumulated interest (Commissioners' Record, v. A, p. 331,332). For an extended treatment of the county finances during this period, see p. 31,32.

value of the lots was estimated at \$1,369 by three impartial appraisers.¹ In addition, a promissory note for \$24 was given to the county by William Anderson.² The \$607 still due from the proprietors remained unpaid; it was listed among county assets for years but was finally dropped without settlement. The \$24 note was never paid.³ As to the lots donated to the county, twenty-five⁴ of them were finally sold at auction in April 1851, for \$566.25.⁵ This amount was all the county ever realized from the \$2,000 donation which the state legislature had designated as a building fund.

In the meantime the expanding needs of the county had forced the construction of a permanent courthouse. In March 1847, the court determined to initiate the building project, although commissioner John Maxwell entered a protest because of the financial condition of the county.⁶ Later, after the citizens of the county had subscribed \$1,000 to help with the construction, the commissioners decided to proceed without further delay. The building was to be two stories in height, 32 x 44 feet, of brick, and "furnished in a good workmanlike manner."⁷ On January 3, 1849, the court met in special session to consider the bids; it awarded the contract but failed to record the details.⁸ Elsewhere it is disclosed that the contract was made with Smith & Dellahunt for a consideration of \$3,300.⁹

The new courthouse was received by the commissioners on June 6, 1849. In payment for it they issued eleven county bonds totaling \$2,674.53, with interest at six percent, payable at various periods up to five years.¹⁰ This amount, however, was not the total cost of the

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1. Commissioners' Record, v. A, p. 23,25, in Supervisors' Record, see entry 2.
 2. Ibid., p. 25.
 3. History of De Witt (Brink), p. 67.
 4. Six of the lots were disposed of during 1840. Apparently they were transferred to county creditors in lieu of money payments (Commissioners' Record, v. A, p. 42,43,58, in Supervisors' Record, see entry 2).
 5. Ibid., p. 392.
 6. Ibid., p. 262.
 7. Ibid., p. 281.
 8. Ibid., p. 283,284; the size on which bids were received was 34 by 48 feet. The entry in the records is as follows: "Court made out contract as to the building of New Court House and then the court adjourned until tomorrow morning 9 o'clock."
 9. History of De Witt (Brink), p. 69.
 10. Commissioners' Record, v. A, p. 332, in Supervisors' Record, see entry 2.

Historical Sketch

building since many previous small payments had been made to Smith & Dellahunt. One county historian fixed the total cost at \$3,565, of which \$890.⁴⁷ had probably been paid out of the fund privately subscribed.¹

Third Courthouse, 1894 to Present

The second courthouse served De Witt County for over forty years. In September 1887, however, the grand jury reported that the building was inadequate for the county's needs and was also unsafe.² After discussion of the issue for several years, the county voters at the various township elections in April 1893, instructed their supervisors to issue bonds for a new building.³ The board then invited competitive bidding, and shortly afterwards it awarded the construction contract to C. F. Schultz of Danville, Illinois, on his low bid of \$34,690.⁴

The dedication services for the new building were held on July 4, 1894.⁵ A report of the finance committee stated that the total cost of the construction and the new courthouse equipment was \$45,424.17.⁶

This courthouse has continued as the center of the De Witt County activities to the present day.⁷ Extensive repairs have been made from time to time. In June 1937, the public building committee stated that two competent architects had reported the courthouse to be unsafe and inadequate for the needs of the county.⁸ A year later a special committee was appointed to apply for a grant of funds, not to exceed \$165,000, from the Federal Public Works Administration for a new building.⁹ Nothing came of this effort. Improvements were made in September 1940, when a new heating plant was installed at a cost of \$1,900.¹⁰

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1. History of De Witt (Brink), p. 69.
 2. Supervisors' Record, v. E, p. 139, see entry 2.
 3. Ibid., p. 418.
 4. Ibid., p. 440.
 5. Ibid., p. 482. The board appropriated \$500 to pay the expenses of the dedication.
 6. Ibid., p. 533. The courthouse certificates, amounting to \$45,439.53, were entirely liquidated by 1903 (ibid., v. F, p. 438).
 7. The building has also been used for private functions. Soon after its completion the board voted that it might be used for political, church, farm, and school meetings, with the understanding that the parties should be held responsible for light and heat (Supervisors' Record, v. E, p. 548, see entry 2). Later the rule was made that the building might not be used for ice cream socials, or any other gatherings for which "eatables" were to be sold (ibid., p. 609).
 8. Ibid., p. 281, 282.
 9. Ibid., v. I, p. 326, see entry 2.
 10. Ibid., p. 427.

First Jail, 1841-1855

During the first two years of the county's existence there was apparently little need for jail facilities. In a few instances, however, De Witt prisoners were kept in the McLean county jail at Bloomington.¹

On December 25, 1840, the court let the contract for the jail to William Dishon. The specifications were as follows: "14 ft. square in the clear two stories high the lower story 8 ft. high the upper story 7 ft. high to be built of Timber 12 inches square, two walls with 4 inches between walls, Floor to be laid of Timber 12 inches square."² By the following March the jail was completed. Dishon was paid \$800 in county bonds with interest at six percent, payable in two and three years, plus \$25 paid at the time for extra work duly contracted for.³

During the short time this jail was in use it had only a few inmates. Occasionally small payments were allowed for the care of prisoners. For example, the following entry was made in October 1848: "Ordered that Samuel McElhiney Jailor be allowed \$28.00 for attending the dietting prisoner, also for furnishing candles and guarding jail."⁴

In June 1855, the county court condemned the jail, partly because its general condition was unsanitary, but chiefly because two kegs of gunpowder had been scattered over the cells, filling the cracks in the floor.⁵ Proposals were soon made for the construction of a new jail, but action was delayed for more than two years because of the financial straits of the county. In the meantime, prisoners were kept in the Tazewell county jail at Pekin.⁶

Second Jail, 1859-1903

In September 1856, the county court adopted the plans of the Tazewell county jail, then considered one of the best in the state, and it

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1. For example, on December 7, 1840, the commissioners' court ordered \$18.25 paid to Martin Scott for keeping a prisoner one month and one day in the jail at Bloomington (Commissioners' Record, v. A, p. 55, in Supervisors' Record, see entry 2).
 2. Commissioners' Record, v. A, p. 53, 58.
 3. Ibid., p. 63, 66, 67.
 4. Ibid., p. 308.
 5. Ibid., v. B, p. 103. One county historian treats this matter in a jocular vein, calling it a "gunpowder plot" (History of De Witt [Brink], p. 70).
 6. Commissioners' Record, v. B, p. 174.

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ordered that the building should be completed by December 1, 1857.¹ On January 26, 1857, the bid was duly awarded to Hoagland & Ricketts on their low bid. The details of the contract were not given.² Later the court revealed that the accepted bid was for \$14,578.³ Elsewhere it is said that the contractors had offered to build the jail for \$12,000 in cash or \$14,578 in county orders.⁴ On March 6, 1857, however, the court ordered that Hoagland and Ricketts should be paid \$17,223 in county bonds.⁵ Even this order did not solve the financing difficulty. Finally in July 1858, arrangements were completed whereby A. Gridley and Company of New York City took \$12,000 in De Witt county bonds at ten percent, due August 1, 1863, with interest payable semiannually. This fund was placed on deposit in the McLean County Bank and was to be paid out by Robert Lewis, who was appointed special fiscal agent for the purpose.⁶

The jail was completed by June 1859. A report to the board of supervisors, just then replacing the county court,⁷ fixed the total cost of the building at \$11,917.65.⁸ According to one county history, however, the total cost was more than twice this amount. The best estimate which can be made from the evidence in the records and from the facts given by this history is \$24,351.45.⁹

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1. Commissioners' Record, v. B, p. 165, in Supervisors' Record, see entry 2.
 2. Ibid., p. 181. The entry concerning the matter is as follows: "Frederick Hanger bid the sum of \$16,000 and Hoagland & Ricketts bid sum of being the lowest bid."
 3. Ibid., p. 182.
 4. History of De Witt (Brink), p. 70.
 5. Commissioners' Record, v. B, p. 201. This order indicates that county bonds were currently worth about seventy cents on the dollar.
 6. Ibid., p. 310-14. Robert Lewis was at this time clerk of the circuit court.
 7. The financial difficulties of the county court were responsible in large part for the abolition of that body (History of De Witt [Brink], p. 71). See below, p. 26.
 8. Supervisors' Record, v. C, p. 12.
 9. History of De Witt (Brink), p. 71. The county finances were in a very confused condition. There are no records for county court meetings between January 11 and June 6, 1859, when the first board of supervisors held its first meeting. Yet apparently the administrative county court did meet during this period to transact important business.

This jail continued in service until 1904. During the early years it apparently was not crowded with involuntary tenants. In 1861 the sheriff was instructed to let, rent or lease jail space to responsible persons.¹ The city of Clinton was authorized to use the jail for the confinement of prisoners, on condition that expenses and possible damages be paid.² In 1869 the supervisors leased to the City of Clinton a part of the jail lot for the construction of a "callaboose."³ Extensive repairs on the jail itself were authorized from time to time. Electric lights were installed in 1892.⁴ Jail breaks were made in 1863,⁵ again in 1867,⁶ and no doubt at other times. Meanwhile reports of the grand jury, relative to the condition of the jail, were received periodically, beginning in 1869;⁷ the action taken by the board on these different occasions suggest that the condition of the building must have been unsatisfactory. A grand jury report of 1888 declared the building very unsanitary because of poor drainage.⁸ Ten years later conditions had become so bad that the grand jury recommended the construction of a new jail, or the confinement of the prisoners elsewhere.⁹ Similar reports were made during the next few years.

The Present Jail

The matter of issuing bonds for a new jail was placed before the voters in June 1903, and approved.¹⁰ Contracts were let as follows: construction to Champaign Iron Works for \$11,608; plumbing, steam heating, and glass fitting to W. E. Brullion for \$1,570.¹¹ The completed jail was accepted by the board in May 1904.¹²

At the time of its completion, this building was said to be one of the finest jails in the state. Adorned by a wide and handsome porch, with the front section used by the sheriff and his family, the building presents the appearance of a residence and loses the repellent atmosphere usually associated with a penal institution.

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1. Supervisors' Record, v. C, p. 95, see entry 2.
 2. Ibid., p. 42.
 3. Ibid., p. 422.
 4. Ibid., v. E, p. 397.
 5. Ibid., v. C, p. 176.
 6. Ibid., p. 348.
 7. Ibid., p. 434.
 8. Ibid., v. E, p. 178.
 9. Ibid., v. F, p. 155.
 10. Ibid., p. 428, 439.
 11. Ibid., p. 480.
 12. Ibid., p. 496.

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Nevertheless a grand jury report of December 1912, declared that the jail was both insecure and unsanitary. The building committee of the board was ordered to obtain locks in order to provide security.¹ Six years later the grand jury reported again, this time stating that the jail was in very bad shape and was not fit for habitation. Repairs costing \$1,285 were then made.² Checking up on the situation, the grand jury of 1920 reported the jail in good shape and the prisoners well treated.³

A Century of County Administration

Changes in County Government

During its first decade of existence, De Witt county affairs were administered by a board of three elective commissioners, officially called the county commissioners' court. This body was not a true court since its functions were chiefly executive and administrative and only incidentally judicial. It had jurisdiction over the county revenue, with power to impose and regulate the county tax, also to grant licenses for ferries and for taverns, and all other licenses which might bring in county revenue; it had control over public roads, canals, turnpike roads, and bridges, where its jurisdiction was not prohibited; and it had power to issue all kinds of writs, warrants, processes, and proceedings, in order to execute its authority.⁴ In addition to the three county commissioners, the following officials were elective: the clerk of the county commissioners' court, sheriff, coroner, recorder, county surveyor, probate justice, and after 1841, the county commissioner of schools.

Under the Illinois political system of this early period, local government meant county government. Settled at first largely by people from the South, the state made no provision in the Constitution of 1818 for township organization. But as the source of the immigration shifted to the other side of the Mason and Dixon Line, county subdivisions began to appear for special functions, such as education and care of the poor.⁵ The trend in Illinois was clearly in the direction of township organization.

1. Supervisors' Record, v. G, p. 385,395, see entry 2.

2. Ibid., v. K, p. 99,122.

3. Ibid., p. 166.

4. R.L. 1829, p. 33.

5. L. 1825, p. 121,122; R.L. 1827, p. 256; L. 1839, p. 138-40; L. 1841, p. 273,274; L. 1847, p. 126.

The Constitution of 1848 recognized this movement by requiring the General Assembly to provide for optional township organization.¹ The legislature promptly took action on the matter, providing by law that upon the petition of fifty legal voters of any county, the question should be submitted to the electorate.² A new county court with administrative membership consisting of the county judge and two justices of the peace was authorized by the constitution³ to replace the county commissioners' court; those counties not wishing this form of county administration might adopt township organization. Later, legislation was enacted which provided that the members of this county court should be elected in November 1849, for four-year terms.⁴

The first meeting of the De Witt county court was held on December 3, 1849. The court consisted of Daniel Robbins, county judge, John Maxwell and William Danner, associate justices.⁵ Of these three, Maxwell was the only one who had been a member of the superseded county commissioners' court. This change in the system of government, however, apparently involved no real break in the continuity of county administration.

De Witt county affairs were administered by the county court for nearly ten years. In June 1859 the county passed into a third stage of government, a board of supervisors replacing the county court. There had been much dissatisfaction with the former government.⁶ In September 1858, a petition signed by one hundred voters was presented, asking for an election on the matter of township organization. The court thereupon ordered the election to be held in November 1858.⁷ The result was a vote of 1,424 for township organization and 308 against.⁸ A. L. Barnett, Smith D. Jones, and Daniel Dragstrem were appointed commissioners to divide the county into townships,⁹ but there is no record of their report.

The first township elections in De Witt County were held on the first Tuesday in April 1859, in accordance with the state law.¹⁰ For

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1. Art. VII, sec. 6.
 2. L. 1849, p. 190,191; L. 1851, p. 35,36.
 3. Const. of 1848, Art. V, sec. 16,19.
 4. L. 1849, p. 62.
 5. Commissioners' Record, v. A, p. 349, in Supervisors' Record, see entry 2.
 6. History of De Witt (Brink), p. 71.
 7. Commissioners' Record, v. B, p. 329.
 8. Ibid., p. 334.
 9. Ibid., p. 342.
 10. L. 1851, p. 192.

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some unexplained reason, however, the county court continued to function until early June 1859. The first meeting of the board of supervisors was held on June 6, with the following members present: Wilson Allen, Texas Township; Benjamin Lisenby, Creek; Hiram Chandler, Nixon; William B. Smith, Clinton; James Willmore, Harp; Edward O. Day, Marion; Thomas Robb, Waynesville; George A. Hume, Wapella; Charles S. Cain, Wilson; Robert R. Knight, Mt. Pleasant; and Adison A. Eads, Barnett.¹ Later, Jonathan Pearson of Douglas Township and John D. Hutchin of Tunbridge appeared and took office, completing the board of thirteen supervisors.² At the first meeting the board organized itself for business by electing George Hume chairman.³ It next drew up twenty-one rules of order to govern board procedure.⁴ Then at the second meeting the supervisors changed the names of four townships: Clinton was changed to Clintonia, Mt. Pleasant to Santa Anna, Marion to De Witt, and Douglas to Rutledge.⁵

There was some question about the legality of the acts done by the late county court in the period from April to June 1859. Accordingly the supervisors elected L. Weldon as their attorney, to be paid \$100 quarterly, and instructed him to investigate the matter. Weldon promptly reported that the county court had ceased to exist after the election of the township supervisors on the first Tuesday in April, hence every action taken by it after this date was invalid; he recommended that the new board review everything done and adopt those items which it wished to approve.⁶ This advice was followed by the board.

This system of county government, based upon an administrative board made up of separately elected township supervisors, has continued in De Witt to the present day. Minor changes have been made in township boundaries. In September 1859, the boundary between Clintonia and Wapella was modified by adding sections one to six, township twenty north, range two east of the third principal meridian, to Wapella.⁷ This action, which made Clintonia a fractional township, was done in order to place the recently laid-out village of Wapella wholly within the township of the same name. In March 1860 a slight change was made in the boundary between Santa Anna and De Witt, whereby a small tract,

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1. Supervisors' Record, v. C, p. 1, see entry 2.
 2. Ibid., p. 4, 16.
 3. Ibid., p. 1.
 4. Ibid., p. 1-3.
 5. Ibid., p. 4.
 6. Ibid., p. 8, 9.
 7. Ibid., p. 18.

comprising approximately a section and a half, roughly triangular in shape, was taken from the former and added to the latter.¹

Another minor change was the increase in the membership of the board of supervisors. State law provided that any township having eight hundred or more legal voters should be entitled to elect an assistant supervisor.² In 1895, Clintonia Township was able to secure an assistant supervisor. H. H. Morris was elected in this capacity.³ Since this time, the De Witt county board of supervisors has consisted of fourteen members, a condition which, with party lines rigidly and closely drawn, has often made board action very difficult.

Prior to 1890, the supervisors served one-year terms. In a resolution of 1881, the De Witt county board had requested the state legislature to lengthen the term to four years,⁴ and eight years later the legislature acceded in part when it provided for a two-year term.⁵ In May 1890 the De Witt supervisors drew lots, seven drawing one-year terms and six drawing two years.⁶ In 1929 the term was further lengthened to four years.⁷

Board Organization and Procedure

With a membership of thirteen, later fourteen, supervisors, the board became in large part a policy-forming body, delegating much of its administrative work to standing committees. In June 1860, the following nine committees were organized, each with three members: finance, town accounts, equalization of taxes, roads and bridges, paupers, public buildings, judiciary, swamp lands, and miscellaneous.⁸ Later the committees on town accounts and swamp lands were dropped; the judiciary became the claims committee, while committees for books and stationery, and investigations were added.⁹ This committee organ-

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1. Supervisors' Record, v. C, p. 49, see entry 2. Before this change, Santa Anna had been a perfect triangle.
 2. L. 1861, p. 221. This provision was amended in 1874 by a law permitting each township of 4,000 or more to have one or more assistant supervisors, according to population (R.S. 1874, p. 1075).
 3. Supervisors' Record, v. E, p. 530, see entry 2.
 4. Ibid., v. D, p. 397.
 5. L. 1889, p. 109.
 6. Supervisors' Record, v. E, p. 245.
 7. L. 1929, p. 774, 775.
 8. Supervisors' Record, v. C, p. 67.
 9. Ibid., v. E, p. 246, 247; v. F, p. 245.

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ization has remained essentially the same to the present day. In addition, special committees have been organized from time to time.

Much of the board's time is spent in hearing the reports of these various committees. The power actually granted to committees has varied from board to board and from committee to committee. At one time, a committee might be instructed to use its discretion in deciding a certain matter, at another time, to take specified action only; again, action might be left in the committee's hands as a matter of course; on still another occasion, the same matter, though seemingly trivial, might be brought before the full board for decision. The relationship between board and committees has been in part a matter of political expediency.

At the first meeting of the board of supervisors on June 6, 1859, rules of order were adopted.¹ Those rules were essentially those of ordinary parliamentary procedure. Slight changes in procedure have been made by later boards.

During the early years the law required the board to hold regular meetings in September.² Since 1899, two regular meetings, in June and September, have been held.³ The law permits special meetings to be called when needed on the request of one third of the members. In practice, the De Witt board of supervisors has held many special meetings distributed throughout the year. The number of actual daily sessions per year has varied greatly, from six to sixteen, sometimes more; the average has been about ten. Meetings have usually been held in March, June, September, and December, with two or more daily sessions for each meeting.

Politics in County Administration

The De Witt supervisors' records do not disclose much information regarding the political forces which operate within the board and about it.⁴ Very few references to party affiliations are found. Nevertheless

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1. Supervisors' Record, v. C, p. 1,3, see entry 2.
 2. L. 1861, p. 236. This law provided that the annual meeting should be held on the second Monday in September.
 3. L. 1899, p. 363. The dates fixed are the second Monday in June and the second Tuesday in September.
 4. It is interesting to note the practice of "political treats" which has been followed for many years. According to custom the newly elected chairman of the board invites his colleagues out to dinner. In a few instances the superintendent of the poor farm has treated the supervisors.

it is apparent that the offices and jobs within the control of the board have often been passed out as political spoils.¹

About 1900, however, the political feeling within the board reached such intensity that it could not be concealed from the records. The county board, with fourteen members because of the addition of an assistant supervisor from Clintonia, was often divided evenly between the two parties. On three occasions, after much futile balloting, the board had to resort to lot for the selection of a chairman.²

In 1896 the De Witt board of supervisors fought out minor, local issues along party lines, even though it took all autumn and winter, and all spring as well. For two days and one night, during the heated McKinley-Bryan presidential campaign, the supervisors tried to elect a janitor for the courthouse, but gave up after 140 ballots.³ All compromise proposals were rejected. The two Democratic members of the public buildings committee then met without their Republican colleague and appointed C. W. McKinney for the next year at \$50 a month.⁴ The issue was reopened and fought out again when the board met in December, and was extended to include the election of an overseer of the poor farm. The seven to seven deadlock remained unbroken.⁵ The Republicans then called two special sessions but had to adjourn each time because of "no quorum", since the Democrats all refused to attend.⁶ As the next step in the controversy the two Democratic members of the poor farm committee reappointed C. C. Parlier as overseer of the poor farm, disregarding the protests of their Republican chairman.⁷ When the board met in March, however, the seven Republicans voted to reject Parlier's bond. Then followed more futile balloting. Again proposals to decide the matter by lot were voted down.⁸ The board ran into a third deadlock over the election of a chairman when it met again in June. Fortunately both sides were soon ready to compromise. The Republicans obtained the board chairmanship, while the committee ap-

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1. For example, in 1928 the motion was made that the election of the superintendent and the matron of the poor farm should not be made a political issue. It is significant that the motion did not carry (Supervisors' Record, v. H, p. 477, see entry 2).
 2. This happened in 1897, in 1898, and again in 1904 (Supervisors' Record, v. F, p. 51, 144, 493). In 1904, forty-four ballots were taken.
 3. Ibid., p. 7-13.
 4. Ibid., p. 27.
 5. Ibid., p. 27-31.
 6. Ibid., p. 33.
 7. Ibid., p. 35.
 8. Ibid., p. 48, 49.

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pointees for janitor and overseer of the poor farm were to serve out their annual terms, after which the two positions were to be decided by lot.¹ In this manner the nine-month controversy was finally settled.

County Taxation and Finance

Four Decades of Deficits and Debts

For many years the De Witt commissioners tried to operate county government with a minimum of taxation. During this period the county debt rose at an alarming rate. The deficit financing during 1839, the first year of the county's existence, however, cannot be blamed on the county board. The law creating De Witt deprived the new county of most of its taxing jurisdiction for the first year.² In the rest of the county's territory, that drawn from McLean County, the commissioners had to accept the already established tax rate, which was thirty cents on one hundred dollars of assessed valuation. De Witt County thus began its political existence burdened by debt.

Unfortunately the county commissioners continued the practice of meeting their obligations in promises to pay. In 1840, when the assessed valuation of property was \$305,920, the county tax levy was fixed at thirty cents,³ a rate which theoretically should have brought in \$917.76. For 1841 the rate was raised to forty cents,⁴ but was then lowered to twenty and held there for several years.⁵ The financial reports did not justify such economy. In December 1841, the treasurer reported a cash sum of \$3.31 in the treasury, also other assets (mostly paper) amounting to \$3,376.44, as against county debts of \$2,134.69.⁶ The balance of \$1,245.06 in favor of the county was purely fictitious. During the year, \$979.84 had been issued in county orders.⁷ In December 1842, there was not a dollar in the treasury.⁸ With a tax rate of twenty cents on \$392,000,⁹ the theoretical tax income was only \$784, which was

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1. Supervisors' Record, v. F, p. 50,51, see entry 2.
 2. L. 1839, p. 201. This law provided that the region taken from Macon County, which constituted most of the territory, should remain within the taxing jurisdiction of Macon until January 1840.
 3. Commissioners' Record, v. A, p. 49, in Supervisors' Record, see entry 2.
 4. Ibid., p. 73.
 5. Ibid., p. 122,127,164.
 6. Ibid., p. 86.
 7. Ibid.
 8. Ibid., p. 113.
 9. This was the assessed valuation for 1841; the valuation for 1842 is not given in the records.

less than the \$901.60 issued in county orders, not to mention the bonded debt and the interest on it. In 1850, after slightly more than ten years of county existence, the debt was \$3,958.44, which included, among other obligations, bonds to the amount of \$604 (the original principal) for the temporary courthouse built in 1839 and already replaced, also \$798.28 in accumulated interest on same; \$2,025 in bonds for the new courthouse and \$74 in interest on same.¹

Yet the county was at this time only just started on its career of debt. The next three decades far exceeded the record of the first ten years. During the 1850's the county went heavily into debt for its jail; during the 1860's it pledged the public credit for bounties to Civil War soldiers, while the 1870's brought even heavier indebtedness for the purchase of railroad stocks. Unfortunately for the historian, no financial reports were entered upon the records during this period of spending. After 1850, the county board waited twenty-eight years before submitting another report of county finances.

The county financial condition, which earlier had held up the construction of the courthouse for nearly ten years,² became very embarrassing during the building of the second jail in 1858 and 1859.³ Bids for the jail indicate that county bonds were worth eighty-two cents on the dollar, but a little later, as the financial situation became worse, they sank to seventy cents. The county was finally forced to go into the New York money market and borrow \$12,000 in order to complete the jail. A more complete picture of the financial condition cannot be obtained because of the absence of annual reports. The records do reveal that the tax rate remained around forty cents on one hundred dollars of assessed valuation. Although this rate was quite inadequate and the total tax rate for county, state, and school purposes did not exceed one dollar, there was still much grumbling about the tax burden.⁴

In 1859, when the De Witt county court gave way to the board of supervisors, one of the first acts of the board was to reduce the assessment of real estate by one fifth, the motion being carried eight to four on a roll call vote.⁵ This action was followed by a motion to fix the tax rate at thirty-three cents.⁶ In 1861, with the tax rate raised to

1. Commissioners' Record, v. A, p. 373, in Supervisors' Record, see entry 2.

2. See p. 19.

3. See p. 23.

4. History of De Witt (Brink), p. 70.

5. Supervisors' Record, v. C, p. 21.

6. Ibid., p. 26.

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forty cents, county receipts from taxes were \$8,584.71, while expenditures were \$9,158.01.¹ During 1861, funds were lacking even to pay the interest on the Gridley bonds, hence the board had to give county orders bearing interest at eight percent.²

Faced on one side by voters who insisted that taxes be kept down, and on the other by cold financial statistics, the supervisors found themselves in a difficult position. In March 1860, they officially acknowledged that the financial condition of the county demanded action.³ The only action they could think of was the issuing of more county bonds. This proposal was accompanied by another to petition the state legislature for the legalization of such a bond issue. Apparently no action was taken on the matter, but the board did secure some badly needed funds by ordering the sale of the swamp lands,⁴ which had been granted to the county.⁵ Four hundred and fifty-four of some 1,934 acres were sold, netting \$2,844.70.⁶

Later, however, the very taxpayers who had objected to moderate taxes for local needs were willing to pay and pay again when their patriotism was involved. On May 8, 1861, the board met in special session and voted \$5,000 to furnish uniforms to volunteers enlisting in response to the call of President Lincoln, and to help support the families of soldiers.⁷ A special tax of twelve cents was levied to raise the funds.⁸ This was only the beginning. In May 1862, the board voted to issue \$25,000 in bonds, with interest at eight (later ten) percent, payable in five to eight years, in order to pay \$40 to each volunteer, and to give support to the families of soldiers.⁹ A special tax of fifty cents was ordered. The bounty offer of \$40 was soon withdrawn for those enlisting after October 4, 1862.¹⁰ After the end of the war, however, the board agreed to pay \$40 to any man furnishing a certificate from the State Adjutant General that he was credited to De Witt County as volunteer and giving affidavit that he had not received

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1. Supervisors' Record, v. C, p. 148,149, see entry 2.
 2. Ibid., p. 125,137. The bonds were issued in connection with the building of the second jail.
 3. Ibid., p. 60.
 4. Ibid., p. 118.
 5. L. 1857, p. 122.
 6. History of De Witt (Brink), p. 72; Supervisors' Record, v. C, p. 122, see entry 2. The records do not disclose the details of the sales. In 1864, however, the records reveal that 1,200 acres were sold for \$6,000 (ibid., p. 241).
 7. Supervisors' Record, v. C, p. 100,101.
 8. The amount of taxes actually levied at this rate, however, was only \$2,722.45 (ibid., p. 141).
 9. Ibid., p. 158.
 10. Ibid., p. 172.

any bounty payment, but it refused to make any payments to those who had enlisted in the 107th Regiment, Illinois Volunteer Infantry.¹ In February 1865, on the last call for troops, a special bounty of \$300 was offered to 101 volunteers.² This large bounty, was necessary in order to avoid the imposition of the draft. Besides these bounties to volunteers, substantial payments were authorized from time to time for the support of needy families of men serving in the army. According to the estimate of a county historian, the war loans amounted to \$72,000, with accumulated interest aggregating about \$18,000 - a total war expenditure of around \$90,000. Tax receipts from 1861 to 1866 for war purposes totaled \$64,431.72.³

During this period the board adopted a "pay-as-you-go" policy not only for extraordinary war expenditures but also for general county purposes. In 1864 a special tax rate of sixty cents on one hundred dollars of assessed valuation was fixed in order to pay off the jail bonds held by A. Gridley & Co.;⁴ this was in addition to the normal county tax of thirty cents and the special war tax of fifty. During this year, \$14,000 of the war bonds were retired.⁵ The debt liquidation was continued for several years; in December 1866, the county board reported the cancellation of bonds and other indebtedness to the amount of \$16,221.18.⁶

Unfortunately, this fiscal policy was continued only a few years. In 1870, when the second poor farm was purchased, the clerk was instructed to issue in payment interest-bearing (ten percent) county orders to the amount of \$5,000, and as much more as might be needed to meet the probable discount.⁷ During the early 1870's, the records reveal certain questionable items relating to finance. For example, in August 1872, the supervisors voted themselves \$2.50 a day, plus five cents mileage each way,⁸ despite the fact that state law allowed only \$2 a day "and no more."⁹ About the same time, the supervisors voted the sum of \$1,450 to eight townships for purposes not stated; only Robert Walker opposed the motion.¹⁰ On February 2, 1874,

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1. Supervisors' Record, v. C, p. 285, see entry 2.
 2. Ibid., p. 250.
 3. History of De Witt (Brink), p. 75.
 4. Supervisors' Record, v. C, p. 233.
 5. Ibid., p. 235.
 6. Ibid., p. 327.
 7. Ibid., p. 473.
 8. Ibid., p. 533.
 9. L. 1861, p. 238.
 10. Supervisors' Record, v. C, p. 498.

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the board officially noted that the county finances were in a "mixed" condition.¹

The following item in December 1870 indicates that the board was being subjected to considerable criticism during this period: "Resolved by the Board of Supervisors that editors of any paper of the county be permitted to examine the records with a view of publishing the proceedings of the board and also the delinquent tax list free of charge."²

Meanwhile the board was acquiring a debt load which far exceeded the indebtedness of the previous years. Unfortunately, the records do not give full information about all the details. In 1869, at a time when business was good and money was easy, De Witt County subscribed \$164,000 to the Gilman, Clinton, and Springfield Railroad.³ In a short time, however, the board instructed the chairman not to sign the county bonds intended for the railroad.⁴ This began a court controversy which lasted several years but ended in the defeat of the county. On December 29, 1876 a committee of the board reported a compromise on the matter, which report was adopted.⁵ The board agreed to recognize the validity of the bonds and to pay in five annual installments the accumulated interest, reduced by the compromise from \$82,000 to \$63,320. The county indebtedness arising out of the railroad subscription was thereby fixed at \$226,320, of which \$164,000 was the principal and was in bonds drawing ten percent interest. Fortunately, the county was soon able to refund and consolidate its bonded debt. In June 1880, after approval by the voters, the debt was refunded in 175 bonds of \$1,000 each, drawing six percent interest.⁶

The railroad controversy was a hard lesson in finance but it was also an effective one. The county board began to pay off its debts as rapidly as possible. In a financial report of December 1878 - incidentally, the first one entered in the record since 1850 - the healthy condition of the finances was revealed. Although county expenditures were \$35,801.53, including \$17,808 for overdue interest coupons, the treasury closed the year with a balance of \$11,411.66.⁷

During the next two decades, county bonds were retired at a rapid rate until the debt was brought down to a modest level.⁸ For this

1. Supervisors' Record, v. C, p. 577, see entry 2.

2. Ibid., p. 474.

3. For a discussion of this railroad bond controversy, see p. 54,55.

4. Supervisors' Record, v. C, p. 459.

5. Ibid., v. D, p. 158.

6. Ibid., p. 359,367,374,385.

7. Ibid., p. 269.

8. Ibid., p. 532, v. E, p. 6,42,515,584.

reason, the county was able to build a new courthouse in 1894 and a new jail ten years later. The courthouse debt was promptly liquidated. In 1900 the voters approved a levy of twenty-five cents to pay off bonds to the amount of \$33,000.¹ The records indicate that this indebtedness was cleared up by 1903.²

County Finances during the Great Depression

The depression of the 1930's brought about a new crisis in county finances. This condition was hastened and accentuated by the collapse of farm prices even before 1929. The agricultural depression was a serious matter for a county like De Witt, where in 1927, lands made up 58.8 percent of the total assessed valuation.³ In 1931, the average tax load in De Witt County was \$3.44 for one hundred dollars of assessed valuation, which rate included state, county, township, municipality, and school levies; in 1912, the rate had been \$2.98, while in 1922, it had been \$4.27.⁴ It is not then surprising that tax delinquencies were very high during the depression years. Although statistics on delinquency are unavailable for De Witt, the percentage for Illinois in 1932-33 was 37, which was the third highest among all the states.⁵

In 1925 and 1926, the levy for general county purposes was fixed at \$75,000; in 1927, it was raised to \$81,180; then increased to \$89,680 in 1928 but accompanied by a fixed rate of twenty-five cents,⁶ a rate which actually could not yield over \$63,395. The levy was raised to \$104,680 in 1929, then as the depression began, it was reduced, first to \$96,780, next to \$83,680 in 1931.⁷ These levies, however, were for general county purposes and did not cover special expenditures. Besides the levy for general county functions, there were levies for roads, for mothers' pensions, for the blind, and other purposes.

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1. Supervisors' Record, v. F, p. 270, 285, see entry 2.
 2. Ibid., p. 438.
 3. Illinois Tax Commission, Sixteenth Annual Report (Assessment year, 1934), p. 296.
 4. U. S. Bureau of the Census, Financial Statistics of State and Local Governments: 1931, Illinois, p. 70. Hereinafter referred to as Financial Statistics of State and Local Governments.
 5. U. S. Bureau of the Census, Current Tax Delinquency (Levies of 1932-33), Part I, p. 6.
 6. In 1927, a state law had fixed a twenty-five cent rate limit on county taxes for general purposes (L. 1927, p. 384).
 7. Supervisors' Record, v. H, p. 393, 419, 454, 478, 505, 533, 572, see entry 2.

Historical Sketch

In 1931 the total governmental expenditures by the county amounted to \$171,000, distributed as follows: \$41,000 for general government, \$5,000 for protection to person and property, \$30,000 for health and sanitation, \$40,000 for highways, \$28,000 for miscellaneous purposes, \$2,000 for interest on the county debt, and \$25,000 for outlays.¹ The total revenue receipts during this year were \$171,000, derived from the following sources; \$110,000 from the general property tax; \$25,000 from licenses and permits; \$2,000 from fines, forfeits, and escheats; \$3,000 from subventions and grants; and \$31,000 from the earnings of general departments.² The debt of the county at this time was \$85,000.³

During 1930 and 1931, the board engaged in many discussions on the county's financial condition. In June 1930, the supervisors adopted a resolution (not given in the records) requesting the state legislature to take action for the financial relief of counties.⁴ In December 1931, a representative of the De Witt County Bankers' Federation addressed the board on the necessity of tax reduction, reminding his listeners that he had the support of all the banks.⁵ This was followed by a resolution presented by the De Witt County Tax Payers' Association.⁶ The board immediately ordered a reduction of twenty percent in the salaries of the deputies in all county offices, but did not reduce the salaries of the principal officers.⁷ Incidentally, the supervisors had previously voted to reduce their own per diem allowance from \$5 to \$4 but later rescinded this action.⁸ Drastic reductions were ordered for 1932. The tax levy was cut down to \$65,480,⁹ not, however, because of a lowering of the tax rate but rather through a reduction in the assessed valuation from \$21,769,000 to \$17,961,000.¹⁰ In March 1933 a report presented by the county auditor showed an improvement in the county funds of \$15,000 over the

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1. Financial Statistics of State and Local Governments, p. 33.
 2. Ibid., p. 10.
 3. Ibid., p. 54.
 4. Supervisors' Record, v. H, p. 530, see entry 2.
 5. Ibid., v. I, p. 7.
 6. Ibid., p. 14.
 7. Ibid., p. 9, 22.
 8. Ibid., v. H, p. 534, 542. In 1933, this reduction was made mandatory by state law, but was rescinded in 1937 (L. 1933, p. 615; L. 1937, p. 601).
 9. Supervisors' Record, v. I, p. 39, see entry 2.
 10. Illinois Tax Commission, Survey of Local Finance in Illinois, v. II, Property Taxation: Assessed Valuations, Tax Rates, and Extensions, 1927-1936, p. 141. Hereinafter referred to as Property Taxation.

preceding year in spite of the income reduction amounting to \$18,000.¹ By this time the worst of the crisis was over. The tax levy was held down to \$63,550 during 1934² then was raised to \$74,902 in 1935.³ In April 1934 the voters approved the issue of \$55,000 for refunding the county debt. Now county bonds to the amount of \$51,000 were sold with interest at five percent and maturity dates from 1936 to 1946.⁴ Since this time county expenditures have risen rapidly. For 1939 the board appropriated the sum of \$91,513 for general purposes, \$26,100 for highways, \$4,500 for a county highway building in Clinton, and \$21,000 for the support of tubercular patients, a total of \$143,113.⁵

Since 1933 the De Witt board of supervisors has regulated county financial matters through annual budgets. In that year the General Assembly enacted a law requiring each county to adopt annually a budget containing a statement of all county monies in the treasury at the end of the previous fiscal year, a statement of receipts and payments and of revenues and expenditures of the preceding fiscal year, and estimate of the probable income from all sources for the coming fiscal year, and a schedule of proposed appropriations. The fiscal year was to run from the first Monday of December to the Sunday preceding the first Monday of the next December.⁶ The first annual budget of De Witt County was prepared and approved on December 13, 1933.⁷

Sources of County Taxes

In 1840, the De Witt County tax levy was \$1,223.68 on an assessed valuation of \$305,920 a rate of forty cents (thirty cents for general purposes and ten cents for roads) and a per capita levy of thirty-seven cents.⁸ In 1931 the amount received through general property taxes by the county for all purposes was \$110,000 on an assessed valuation of \$21,769,000;⁹ this is a tax rate of fifty and one-half cents and a per capita levy of \$5.90. The tax rate levy for all purposes has usually been fixed between forty and fifty cents during the century

1. Supervisors' Record, v. I, p. 62, see entry 2.

2. Ibid., p. 86.

3. Ibid., p. 143.

4. Ibid., p. 115,123.

5. Ibid., p. 333.

6. L. 1933, p. 417-19.

7. Supervisors' Record, v. I, p. 86-89.

8. This per capita levy is a computation herein made for purposes of comparative study. The population in 1840 was 3,247.

9. See p. 37.

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of county administration.¹ This, however, is a fact without much significance. Today in Illinois, the county authorities levy only a fraction of the taxes needed for local governmental purposes. De Witt County has 122 local governmental units, besides the county itself, each making its own tax levy; these include 13 townships, 101 school districts, 7 municipalities, and one sanitary district.² In 1931 the combined general property tax levies for all these units was \$663,000,³ making a tax rate of \$3.04 for local government and an average per capita levy of \$35.64.

From 1840 to 1936 the assessed valuation increased approximately 55 times. The average per capita valuation increased from \$94.21 to \$908.16. Coincidentally, the per capita tax levy increased from \$0.37 to \$35.64.⁴ In other words, the per capita valuation increased 9.63 times while the per capita tax levy increased 93.89 times.

In 1855 the assessed valuation of De Witt property was \$2,506,177, of which \$1,649,057 was in lands, \$211,357 in lots, \$378,772 in live-stock, and \$266,991 in other personal property.⁵ Ten years later the assessed valuation was only \$2,827,415, consisting of \$1,854,632 in real property and \$972,783 in personal.⁶ It is interesting to note that there was a slight reduction in the valuation in real property during this decade. In 1859, as already noticed, there was a blanket twenty percent reduction in the valuation of all real property,⁷ due apparently to an agrarian political revolt. In 1880 the total of assessed property amounted to \$5,634,212, divided into the following classes: 251,657 acres of land assessed at \$3,831,729; 4,207 town lots, \$414,180; personal property of every description, \$1,123,246;

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1. The maximum aggregate tax rate which county authorities may levy is seventy-five cents (Const. 1870, Art. IX, sec. 8). A law of 1927 fixed a twenty-five cent rate limit on county taxes for general purposes (L. 1927, p. 384); previously the limit had been fifty cents. County authorities, however, are permitted to fix special rates for various other purposes, such as highways, blind relief, mothers' pensions, etc. (Illinois Tax Commission, Tax-Rate Limits of Illinois Local Governments, 1925-1936, Special Report No. 3, p. 14,15).
 2. Property Taxation, p. 141-45.
 3. Financial Statistics of State and Local Governments, p. 70.
 4. This figure is for 1931.
 5. Commissioners' Record, v. B, p. 132, in Supervisors' Record, see entry 2.
 6. Supervisors' Record, v. C, p. 283, see entry 2.
 7. Ibid., p. 21.

and railroad property, excluding the main branch of the Illinois Central, \$265,049.¹ The county history written at this time, stated that the assessed valuation was about forty percent of the actual value.² The real value was then about \$12,000,000. In the assessment as officially made, it can be seen that most of the increase was on farm lands while the increase on other types of property was much less.

In 1912 the county valuation was \$10,017,000; ten years later it was \$16,222,000.³ By 1925 this figure had soared to \$25,818,000 and then continued substantially without change through 1930, after which it dropped sharply, first to \$21,728,000, next to \$17,961,000, and after that in small annual decreases until it was only \$16,888,000 in 1936.⁴ In this last-mentioned year, lands made up 61 percent of the total; lots, 18; personal property, 11; railroads, 10. In the period from 1927 to 1936, during which time the farmers were hit early and hard by the depression, the percentage valuation on lands increased two points, lots also increased two points, while personalty decreased one point and the percentage of railroad valuation decreased three points.⁵ At this time, it was estimated that the approximate assessment ratio for real and personal property was about fifty percent of the true value.⁶

Liquor Licenses and Prohibition

During most of its history, De Witt County refused to issue liquor licenses because of the prevailing sentiment for prohibition. County policy on this matter has always been in the hands of the county board, although local option has been permitted under the license system.

Even at the time of establishment, there was a strong sentiment against the licensing of the sale of liquor. In March 1840, the court recorded that a majority of the legal voters in Clinton had petitioned against the granting of grocery [tavern] licenses in that precinct.⁷ In December of the same year, however, it officially noted that the majority of the Clinton voters had petitioned for the granting of such

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1. History of De Witt (Brink), p. 63.
 2. Ibid.
 3. Financial Statistics of State and Local Governments, p. 68.
 4. Property Taxation, p. 141. For 1940 figures, see Table VII, p. 41.
 5. Ibid.
 6. Illinois Tax Commission, Constitutional Tax Rate Limitation for Illinois, 1934, Special Report No. 2, to Henry Horner, Governor, p. 71.
 7. Commissioners' Record, v. A, p. 45, in Supervisors' Record, see entry 2.

TABLE VII: Changes in Assessed Property Valuation, 1869-1940¹

Item	1869			1900			1920			1940		
	Number	Value		Number	Value		Number	Value		Number	Value	
Personalty												
Farm Animals												
(See Table I, p. 7)												
Carriages and Wagons	2,371	\$ 505,740		3,752	\$ 192,844		2,819	\$ 709,345			\$ 402,760	
Automobiles		51,095			16,696		2,078	35,484		2,965	252,600	
Trucks and Busses								301,328		655	53,810	
Goods and Merchandise		52,220									121,525	
Manufacturing Machinery, etc.								13,044				
"								105,497				
Agricultural								539,251			255,435	
Moneys and Credits		93,545			211,860			104,658			94,820	
Stocks and Bonds		1,500			2,215			119,603			129,755	
Household, Office Furniture					41,315			375,388			251,130	
Grain of all Kinds					86,412			106,033				
Bank Shares and Stocks					22,000							
Public Utility Personalty											300,640	
Unenumerated		93,628			229,088						498,285	
Other Types		21,110			30,119			497,841			25,910	
Total Assessed Valuation		757,851			730,042			2,733,345			2,038,405	
Real Estate												
Lands: Improved	193,541	1,464,829		251,295	2,905,626		251,207	10,550,012			8,808,220	
Unimproved	40,607	245,783										
Improvements		502,458						814,643			1,335,000	
Total		2,213,070			2,905,626			11,364,655			10,143,220	
Town and City Lots:												
Improved	1,666	68,462		4,420	466,565		3,875	612,118			1,129,700	
Improvements		155,988						1,237,882			1,946,560	
Unimproved	405	12,911		598	14,597		1,665	253,080				
Total		237,361			481,162			2,103,080			3,074,380	
Railroads												
Total Assessed Valuation					291,236			1,274,636			1,551,564	
Grand Total, Assessed Valuation		3,208,282			4,408,066			17,461,266			16,808,279	

1. Illinois Board of Equalization, Proceedings (1869), p. 19, 22, 30, 36, 40, 68, 72, 105, 108; *ibid.* (1900), p. 25, 29, 33, 41, 116, 119, 122, 125, 132, 136, 154, 175; Illinois Tax Commission, Annual Report (1920), p. 37, 40, 43, 48, 52, 312, 315, 319, 323, 327, 329; *ibid.* (1940), p. 174, 194, 195, 250, 282.

licenses.¹ The court fixed the liquor license fee at \$25 a year. In December 1839, Russell Post, then county commissioner, paid this sum for a license to sell lunches and spirits for one year in Waynesville.² This was an exorbitant fee; elsewhere in Illinois at this time the usual fee was about \$5 or \$10 a year. The amount of the license fee in De Witt is doubtless an indication of the anti-licensing sentiment. As might be expected, however, there was considerable "bootlegging," that is, selling by unlicensed dealers; every term of court during this period carried a number of liquor cases.³

The feeling against the sale of liquor became much stronger during the 1850's. In 1854, nine women, preceding Carrie Nation, began a private campaign against the "demon rum" by destroying ten gallons of whiskey, for which action they were fined \$2 each.⁴ In March 1860, the board of supervisors by a vote of nine to three passed a motion declaring that liquor licenses should not be granted.⁵ In 1873 the citizens of Weldon presented a petition praying that their town might be permitted licenses for the sale of ale and beer.⁶ Nevertheless, county prohibition was continued until the repeal of the Eighteenth Amendment.

In June 1933, soon after legalizing of light beers and wines, the board returned to the license system, requiring a fee of \$50 a year.⁷ Then, after the repeal of the Eighteenth Amendment, taverns were permitted to sell hard liquors but they were required to close at midnight and to remain closed all day Sunday.⁸ In June 1937, the board refused to permit the sale of beer on Sunday.⁹ In September 1939, however, taverns were permitted to open at noon on Sunday but were required to close at midnight.¹⁰

An interesting item of somewhat similar import is the attitude of the board toward walkathons. In April 1936, the supervisors voted not to allow walkathons or any similar dance contests in the county. Then

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1. Commissioners' Record, v. A, p. 55, in Supervisors' Record, see entry 2.
 2. Ibid., p. 27.
 3. History of De Witt (Brink), p. 83-87.
 4. Ibid., p. 87.
 5. Supervisors' Record, v. C, p. 50, see entry 2.
 6. Ibid., p. 557.
 7. Ibid., v. I, p. 75.
 8. Ibid., p. 109.
 9. Ibid., p. 275.
 10. Ibid., p. 373.

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in order to re-enforce this prohibition, they fixed the license fee for marathons and walkathons at \$100 a day, payable in advance.¹

County Fees and Salaries

During the early years of De Witt, county officials were paid in fees for services rendered. Statutory provisions permitting and fixing such payments were passed from time to time as new functions were created. For example, an act of 1845 regulating the assessment and collection of the public revenue provided that each assessor should be paid "a sum not exceeding one dollar and a half for every day necessarily employed in the performance of his duty as such assessor to be verified to the county commissioners' court; one-half to be paid out of the State Treasury, and the other half out of the county treasury."² For collecting and paying over the taxes, the law provided that the collector should be paid "five percent on the first thousand dollars, and three percent on all additional sums paid over that amount, the same to be paid by the state and county, in proportion to the amount paid over to each." The same act allowed certain fees to the clerk of the county commissioners' court for services in connection with the collection of taxes. For many of the officials, however, it is very difficult to trace down all the fees permitted by law. Moreover, the county records are not sufficiently explicit to clarify the system in all its details; at times the commissioners were careful to state exactly what the fees were for, but again they would allow payments for "services rendered the county."

The payments made to early county officials were only irregular but also small in amount. It must be remembered, however, that wages were very low and money was exceedingly scarce. For example, Judge John J. McGraw told how he once received as a marriage fee a dozen quail, presented by David Curtwright for uniting him with Melinda Fenton.³ Farm hands were paid \$13 a month, day laborers \$.62 1/2 a day with board, \$.87 1/2 without board.⁴ Moreover, the county officials regarded their official duties as part-time work. With government simply organized and with public services hardly begun, there was little for officeholders to do. Hence the income from the county merely supplemented the ordinary means of livelihood. Most of the elected officials were farmers or proprietors of grocery stores. Some held two or more offices at the same time. John J. McGraw, coun-

1. Supervisors' Record, v. C, p. 224, see entry 2.

2. L. 1845, p. 23.

3. History of De Witt (Brink), p. 150.

4. Ibid., p. 62

ty clerk from 1839 to 1857, was also school commissioner from 1839 to 1855, treasurer pro tem in 1840, and master in chancery from 1839 to 1865, later county judge from 1877 to 1880, besides holding office as justice of the peace during most of this time, in which last-mentioned capacity he claimed to have performed the rites of matrimony for 356 persons.¹ In addition to payments for official duties, office-holders were often hired by the commissioners for many special tasks, such as viewing roads.

The county commissioners were allowed \$1.50 for each day spent attending court. The clerk of the commissioners' court received \$2 a day for serving the commissioners. In addition, other payments were allowed to him from time to time. In December 1840, McGraw was paid \$55 for office services during the year 1839-1840;² a little later in his other capacity as school commissioner, he was allowed \$8.25 out of the school funds of township nineteen, range five east, for selling section sixteen.³ The sheriff was paid \$1 a day for attending the county commissioners' court. The records reveal that Edward W. Fears, the first sheriff, was paid for many other services: \$140 for summoning petit jurors and other services; \$9.12 1/2 for guarding a prisoner and other services; \$24 for giving notices to the road supervisors; \$27 for posting election notices; and \$131 for office services.⁴ Also as county collector for a brief period,⁵ Fears was paid \$3.60 in part payment for collecting the revenue for 1841, after which payment he immediately resigned.⁶ Until 1844, the county collector was allowed three percent of his collections in payment;⁷ after this year, the commission was raised to five percent for the first thousand and three percent thereafter. In 1841, William H. Lafferty as assessor was allowed \$81 for forty-three days of work, one half to be paid by the county and one half by the state;⁸ in 1843, however, A. Hamilton

1. History of De Witt (Brink), p. 64,295.

2. Commissioners' Record, v. A, p. 56, in Supervisors' Record, see entry 2.

3. Ibid., p. 68.

4. Ibid., p. 40,53,99,111.

5. During the period from 1839 to 1844 there was a separate office of county collector filled by appointment of the county commissioners' court. With the exception of this period the sheriff served, as ex officio, as collector until 1859. However, in De Witt, Fears who was sheriff was appointed as collector in 1841 and 1842 (ibid., p. 66,99).

6. Commissioners' Record, v. A, p. 106,

7. Ibid., p. 39.

8. Ibid., p. 71.

Historical Sketch

was paid \$75 for the same task, based upon a rate of \$1.25 a day which the court noted, was "according to law."¹

The treasurer apparently was the most poorly paid of all the county officeholders. According to law, this official was to be allowed such compensation as the county commissioners should deem reasonable, not exceeding \$2 a day, also two percent upon the moneys paid out of the county treasury.² In 1839 the assessment function was removed from the treasurer's office,³ but was restored in 1844.⁴ During the period from 1839 to 1844, the treasurer had to rely upon his commissions on money paid out, plus whatever might be allowed him for attending court to present his annual report. The records do not disclose any payments made to him at this time. His commissions, computed on the two percent basis, could not have exceeded \$20 a year. It is then not surprising that the office was very unattractive. From 1839 to 1843, no less than seven persons occupied the position for brief periods. But after 1844, with the restoration of the assessment function, this difficulty disappeared.

Other officials were likewise paid very meagerly, although their duties were probably less onerous. In 1840, Alexander Barnett, county surveyor, was allowed \$25.50 out of the school funds of township twenty-one for surveying section sixteen.⁵ Other small payments from time to time were allowed to Barnett, who retained his office until 1859, and then resumed it in 1879. Also, in 1840, K. H. Fell, circuit court clerk, was allowed \$6.50 for services rendered; Recorder William Lowery was given \$5.75 for recording deeds for the county.⁶ There is no record of any payment to the coroner during the early years. Of course it is probable that many of these officials were paid fees by the persons for whom service was performed. The judges and clerks of elections, also jurors, were allowed seventy-five cents a day.⁷

The Constitution of 1870 ended the practice of payment in fees. Article X, section 10, provided that the county board "shall fix the compensation of all county officers, with the amount of their necessary clerk hire, stationary, fuel and other expenses, and in all cases

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1. Commissioners' Record, v. A, p. 134, in Supervisors' Record, see entry 2.
 2. R.L. 1827, p. 337.
 3. L. 1839, p. 4.
 4. L. 1843, p. 231, 237.
 5. Commissioners' Record, v. A, p. 54.
 6. Ibid., p. 42, 48.
 7. Ibid., p. 30.

where fees are provided for, said compensation shall be paid only out of, and shall in no instance exceed, the fees actually collected; they shall not allow either of them more per annum than fifteen hundred dollars, in counties not exceeding twenty thousand inhabitants . . ."

In De Witt the salary schedule of county officials has undergone many changes. For example, in 1882 the board of supervisors fixed the salaries as follows: county clerk, \$1,200; treasurer, \$1,500; superintendent of schools, \$500; sheriff, \$1,000; county judge, \$600.¹ The coroner was not mentioned in this salary schedule, but at an earlier date the compensation of this office had been fixed at \$200 a year.² The coroner was also paid fees for services rendered. The county surveyor likewise was paid for work actually done. The salaries given above remained substantially unchanged until the World War years, at which time they were increased to match the rising cost of living. In 1939 the following amounts were allowed from the county treasury for the various officials: county clerk, \$1,800; coroner, \$360; county judge, \$2,250; treasurer, \$1,800; sheriff, \$1,500; superintendent of schools, \$350;³ state's attorney, \$1,500.⁴

Growth of Transportation

Development of Road Administration

In 1839 the road system of Illinois was based primarily upon the cooperative efforts of the people themselves.⁵ In each county the commissioners' court was vested with general superintendency of the public roads, with power to divide the county into road districts and to appoint a supervisor for each district. Every person appointed as road supervisor was required to serve, under penalty of a fine of five dollars for refusal, and was to receive no compensation, being granted, during his term of office, exemption from militia duty and from jury service. It was the duty of each supervisor to cause all public roads in his district to be cleared, smooth, and in good repair, "causing all stumps to be cut low, so as to afford at all time a free and safe passage to waggon and

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1. Supervisors' Record, v. D, p. 463, see entry 2.
 2. Ibid., v. C, p. 470.
 3. The county superintendent of schools in counties with population between twelve and twenty thousand was at this time allowed \$2,700 out of the state school fund. The board of supervisors might, however, allow additional payments (L. 1927, p. 522).
 4. Supervisors' Record, v. I, p. 333, see entry 2.
 5. This system was outlined in a law of 1827 (R.L. 1827, p. 340-46).

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other carriages along such road";¹ also to build bridges and causeways where needed, and to have erected at road intersections a post giving direction and distance to the next important town. The supervisor was authorized to call out every able bodied man between eighteen and fifty to work not to exceed five days each year, designating the tools each man should bring, an authority which could be enforced by fines against any man refusing to work. For any unusual undertaking which required an expenditure over ten dollars, the supervisor had to submit the matter to the county commissioners. The location of new roads and the vacation of old roads might be determined by the commissioners' court on the petition of thirty-five voters. The court might also use county funds for the purchase of road scrapers.

In De Witt County, the commissioners' court laid off nineteen road districts at their first meeting, appointing at the same time a supervisor of each.² It then ordered all able bodied men between twenty-one and fifty to work the roads in their respective districts. In 1840 the court fixed a road tax of ten cents on one hundred dollars of assessed valuation.³

This general system remained in operation for twenty years in De Witt. The number of road districts was gradually increased as the county grew in population. The support of roads continued to come largely from labor service, often fixed in De Witt at less than the maximum of five days, supplemented at times by a road tax of ten cents. During the first decade the commissioners gave little attention to roads; they laid out new districts and appointed supervisors, determined the tax and road service, and opened new roads. Apparently they gave no county aid toward the improvement of roads and the building of bridges until 1850, in which year they allowed \$325 to several supervisors for bridges.⁴

The establishment of township organization in 1859 brought about a change in road administration. Under this new system three commissioners of highways, and road overseers, one for each district, were to be elected in each township at the annual town meeting.⁵ The commissioners were given general administrative control over the township roads and bridges, and were to supervise the work of the district road overseers.⁶ In addition, the commissioners were authorized to fix the road

1. R.L. 1827, p. 341.

2. Commissioners' Record, v. A, p. 5-8, in Supervisors' Record, see entry 2.

3. Ibid., p. 43.

4. Ibid., p. 370, 371.

5. L. 1849, p. 192.

6. Ibid., p. 212-14.

labor service and to determine the amount of tax funds needed in their respective townships. This general system remained in force until 1913. A law of 1877 provided that whenever the cost of construction of any bridge should be an unreasonable burden on the township, the commissioners of highways might petition the county to pay one half of the cost.¹

This township system of road administration may have served fairly adequately the needs of rural communities in the pre-motor age. After 1900, however, with the coming of the automobile, such a system, based upon technically untrained road overseers, soon became as antiquated as the horse and buggy. The business and professional classes of the urban communities began to complain about the "stick-in-the-mud" roads which made their automobiles almost as slow as "Old Dobbin" during wet seasons. Moreover, the roads were uneven in quality, varying greatly from township to township. Automobile clubs were organized to work for a state-wide network of all-weather roads connecting the principal cities and towns, the whole system to be placed under joint county and state control. State financial aid was necessary both for economic and administrative reasons. The rural communities, however, were bitterly opposed to such an innovation. On the one hand, the farmers had less need for hard-surfaced roads and they had less occasion for traveling to distant cities; but on the other hand, they felt much greater need for good secondary roads, fearing that under a system of state aid and control the primary highways would receive nearly all the benefit.

Of interest here is a resolution drawn up in 1900 by the board of supervisors of Effingham County and circulated among county boards throughout the state:

Whereas great efforts are being made at present by interested manufacturers of bicycles, automobiles and bicycling clubs and others to obtain state aid for the purpose of constructing hard roads . . . and whereas, the farmers of the State of Illinois have already overburdened themselves with taxes in order to secure the construction of railroads and other means for the transportation of the products of their farms, therefore be it resolved that it is the sense of the farmers of Effingham County that the whole agitation for state aid in construction of hard roads in the interests of farmers is a fraud, a gross falsehood and an imposition upon the farmers of the state, and only in the interests of a few manufacturers . . .²

1. L. 1877, p. 193.

2. Livingston County, County Clerk's office, Supervisors' Record, v. C, p. 149.

Historical Sketch

In De Witt County, the board of supervisors fought all hard-road legislation for years. In 1905 the following resolution was adopted: "Resolved by the Board of Supervisors of De Witt County now in regular session that we indorse the action taken by the Anti Hard Road convention of De Witt County held in Clinton March 11, 1905, and that we urge our Representatives in the Legislature to vote against and to use all their power to defeat all Hard Road Legislation."¹ In March 1913 the board passed another resolution urging the De Witt County representatives in the General Assembly to use all reasonable efforts to defeat "the Tice Bill known as Road and Bridges System of Illinois."² Two months later, however, the bill was finally passed and signed by the Governor. Even then the De Witt county board of supervisors was not ready to yield on the issue. In September 1913 the clerk read applications from eight persons for the position of county superintendent of highways, a position which the recent act had created. The supervisors voted that they would refuse to submit any names from the county for examination for the position.³ As late as December 1914 they were still demanding the repeal of the Tice Road Law.⁴ Nevertheless they had no choice except to yield; continued refusal would mean only the loss of state funds for roads. In March 1915, Melvin Tuggle was appointed county superintendent of highways at a salary of \$4 a day.⁵

The "Act Revising the Law in Relation to Roads and Bridges" greatly modified the township road system.⁶ A State Highway Commission of three members was created to supervise and unify the road system of the state. For the local administration of state-aid roads, the position of county superintendent of highways was established. In the filling of this office, an attempt was made to insure a degree of technical competence while retaining local autonomy. The county board was to submit a list of three to five persons, residents of the county, to the State Highway Commission for competitive examination, after which the appointment was to be made by the county board from among those certified as eligible. Another article of the act provided for fifty percent of state support for roads designated as "State-aid Roads." Each county board was to select the highways within its borders for this designation, not to exceed fifteen percent of the total road mileage for counties of the first class (the classification of

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1. Supervisors' Record, v. F, p. 538, see entry 2.
 2. Ibid., v. G, p. 407.
 3. Ibid., p. 441.
 4. Ibid., p. 496.
 5. Ibid., p. 521.
 6. L. 1913, p. 521-81.

De Witt); the State Highway Commission should, however, have the authority to revise all county action, in order to make possible a unified state network of roads. For the administration of secondary roads, the former township system was continued without much change.

During the first year of the new road system, De Witt secured \$7,920 in state aid for roads.¹ Apparently there was some disagreement about the designation of state-aid roads because in December 1915 the board of supervisors appointed a committee of five to confer with the State Highway Commission on the matter;² a month later a special meeting was called for further discussion.³ During the next few years several state-aid highways were constructed. In 1921 a county highway commission of five was established to look after all roads and to keep them in good shape.⁴ About this time, Melvin Tuggle, superintendent of highways, reported that the roads of the county were in only fair condition since they were in need of considerable grading and many new culverts.⁵

The main outlines of this system have remained unchanged down to the present day. State aid, however, was discontinued temporarily in 1918, to be replaced by a referendum bond issue law providing \$60,000,000 for the construction of 46 state highways,⁶ followed by a similar law of 1924 providing \$100,000,000 for 155 additional state highway routes.⁷ In 1929 a motor fuel tax of three cents a gallon was levied, the proceeds of which were to be distributed among the counties in proportion to the amount of motor vehicle license fees received from residents.⁸ These acts, and many others, also have tended to disperse the responsibility for road administration in Illinois among townships, counties, and state, with the Federal Government contributing aid to add to the complexity. The State Commission on Future Road Program in 1933 recommended that county electorates be authorized to transfer all the road functions from the township to the county; it suggested that this change would cause a saving of several million dollars a year throughout the state.⁹ This recommendation, however, met widespread opposition

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1. Supervisors' Record, v. G, p. 543, see entry 2.
 2. Ibid., p. 568.
 3. Ibid., p. 572.
 4. Ibid., v. H, p. 221.
 5. Ibid., p. 159.
 6. L. 1917, p. 696-709.
 7. L. 1923, p. 512-41.
 8. L. 1929, p. 625-31.
 9. Commission on Future Road Program, Report, p. 21, 22.

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and was not adopted. In De Witt County, the board of supervisors went on record as opposing such a change, contending that it would be an injustice to the rural communities.¹

The construction and maintenance of roads has been one of the largest items of expense in local government during the last twenty-five years. During the 1920's the county board had to levy a county tax of twenty-five cents for road purposes.² After the passage of the motor fuel tax law in 1929, however, a limitation of twelve and one-half cents was fixed for county road taxes.³ Even larger sums were spent for road purposes by the townships. In 1925-26 the aggregate of township road tax levies amounted to \$107,300; ten years later the total was \$275,500.⁴ In addition, the motor fuel tax funds received from the state were quite substantial. In 1932, De Witt received \$12,774.24 for the first six months of the year.⁵ Finally, since 1935 the Work Projects Administration has spent large sums for the construction and improvement of secondary roads, which incidentally had been badly neglected since the inauguration of state aid in 1913, just as the rural communities had foreseen. In De Witt County, during four and one-half years the WPA constructed 242 miles of "farm-to-market" highways, besides installing 297 culverts and improving many miles of other roads.⁶ In 1937 a law of the General Assembly authorized the state government to match Federal emergency funds for secondary roads, a requirement imposed by Congress, and also authorized counties to appropriate motor fuel tax funds for the maintenance of Federal secondary roads.⁷

The road mileage in De Witt County as of January 1, 1940, was as follows: primary (Federal aid), 82.3; state aid (Federal aid), 3.7; state aid (non-Federal aid), 93.4; local, 593.3; a total of 772.7 miles. There were 82.3 miles of concrete pavement, all Federal aid; 578.3 miles with other types of hard surface, nearly all gravel or stone; and 112.1 miles of dirt road.⁸

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1. Supervisors' Record, v. I, p. 28, see entry 2.
 2. Ibid., v. H, p. 393,469.
 3. L. 1929, p. 673,674.
 4. Illinois Tax Commission, Survey of Local Finance in Illinois, v. IV, Receipts and Expenditures of Townships and Road Districts, 1925-1936, p. 76.
 5. Supervisors' Record, v. I, p. 41, see entry 2.
 6. Work Projects Administration, District No. 4 (Decatur, Illinois), Report on 4½ years of WPA Work in De Witt County.
 7. L. 1937, p. 1068-70.
 8. Information obtained from F. N. Barker (State) Division of Highways, Bureau of Highway Research, by Royal S. Van de Woestyne.

Railroad Facilities

Before the coming of the railroads, De Witt County had very poor connections with the outside world. Located among the headwaters of the Illinois River, it was shut off from water transportation. The nearest steamboat port was Pekin on the Illinois, about fifty miles to the northwest, a very great distance under primitive road conditions. The development of the whole central Illinois region depended upon overland transportation.

The Illinois Central Railroad Company was chartered to meet this need. In 1851 the State General Assembly authorized this company to build and operate a railroad 705 miles in length, with two lines through the central part of the state to Cairo on the Ohio, one line beginning at East Dubuque (then Dunleith) in northwestern Illinois, the other starting from Chicago.¹ In order to help with the construction of a project which would greatly benefit its people, the state granted to the railroad 2,595,000 acres of public land, and an exemption from property taxation in return for the payment into the state treasury of seven percent of the income derived from the transportation of passenger, freight, express, and mails. Work was started without delay. Early in 1854 the Bloomington - Clinton section of the line from Dunleith was opened.² Other sections were rushed to completion; on January 6, 1855, continuous rail service was inaugurated between Galena in northwestern Illinois and Cairo in the southern tip of the state.

This railroad, the longest line then under operation in America,³ brought great benefits to the people of De Witt County. In 1850 the population of the county was 5,002, only 367 of whom lived in Clinton.⁴ Ten years later, De Witt had 10,820 people and Clinton had 1,358.⁵ The construction of the Illinois Central Railroad was one of the leading factors in the development of central Illinois.⁶

This one line of the Illinois Central was the only railroad in De Witt County for fifteen years. The railroad boom of the 1850's was brought to an end by the Civil War. After 1867, however, a new period of construction began in Illinois. Within a few years, De Witt secured four

1. Priv. L. 1851, p. 61-74.

2. Carlton J. Corless, Trails to Rails, p. 27.

3. Ibid., p. 25.

4. U.S. Census Bureau, The Seventh Census of the United States: 1850, p. 701.

5. U.S. Census Bureau, Population of the United States in 1860, Compiled from the Original Returns of the Eighth Census, p. 86, 91.

6. Paul W. Gates, The Illinois Central and Its Colonization Work.

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additional railroads. In 1867 the General Assembly incorporated the Gilman, Clinton and Springfield Railroad.¹ In 1871, this road was completed. A few years later it was leased by the Illinois Central Railroad and is now known as the Gilman, East St. Louis and Carbondale Branch. This division gives Clinton a direct connection with the Illinois Central line running into Chicago. Also in 1867, the Havana, Lincoln and Champaign Railroad Company was incorporated to construct an east-west line through De Witt with a station at Clinton.² This road was completed in 1873; in 1880 it was leased by the Wabash System³, but has since become a part of the Illinois Central. In 1869 the State General Assembly incorporated the Peoria, Atlanta and Decatur Railroad Company,⁴ which road, when completed, ran across the western section of the county in a general southeasterly direction, with stations at Waynesville, Midland City, and Kenney. This railroad was soon combined with others to form the Illinois Midland Railroad,⁵ but is now a branch of the Pennsylvania System. The fourth line built during this period, also opened for business in 1869, was the Indiana, Bloomington and Western;⁶ it cut across Santa Anna Township in the northeastern corner of the county, where it has a station at Farmer City. This line, with less than five miles in De Witt, now forms a part of the New York Central System.

Since the early 1870's only one addition has been made to the railroad system of De Witt County. With approximately 95 miles of tracks within its borders, the county has had quite adequate railroad service. The Constitution of 1870, with its provision forbidding any county, township, or municipality from purchasing the capital stock of railroads,⁷ has doubtless tended to discourage further construction. The only line built since this period is a section of the Illinois Terminal System, which extends from Bloomington to Decatur, cutting through De Witt from north to south parallel to the main line of the Illinois Central. In 1901 the De Witt county board granted permission to Charles Griffin and Henry Knight to build an electric railway through the county, the work on which was to begin within a year.⁸ This road was completed about 1905.⁹

During the boom period of railroad construction, the people of De Witt County, encouraged by the easy money market, placed a heavy mortgage on their future by their subscriptions to railroad capital stock. This in-

1. Priv. L. 1867, II, p. 534-38.

2. Ibid., p. 637-40.

3. History of De Witt (Brink), p. 34.

4. Priv. L. 1869, p. 173-76.

5. History of De Witt (Brink), p. 35.

6. Ibid., p. 35.

7. Sec. "Municipal Subscriptions to Railroads or Private Corporations," separately submitted.

8. Supervisors' Record, v. F, p. 377, see entry 2.

9. For routes of railroads in De Witt County, see Table VIII, p. 56.

debtedness, all assumed within a period of little over a year, amounted to at least \$444,000, distributed as follows: De Witt County, \$164,000 to the Gilman, Clinton and Springfield Railroad; Clintonia Township, \$50,000 to the same road, also \$50,000 to the Havana, Lincoln and Champaign Railroad; De Witt Township, \$40,000; Tunbridge, \$30,000; Harp, \$25,000 - the subscriptions of the last three townships all to the Gilman, Clinton and Springfield; Creek, \$30,000; Nixon, \$25,000 - both to the Havana, Lincoln and Champaign; also Barnett Township, \$30,000 to the Illinois Midland.¹ This obligation became a great burden during the hard times brought about by the Panic of 1873. At least one township tried to repudiate its debt, for which action its supervisor served a jail term for contempt of court.²

The county had a long controversy over its \$164,000 subscription to the Gilman, Clinton and Springfield Railroad. On June 15, 1869 the citizens of the county voted in favor of the subscription.³ In February 1870 the board selected H. Magill to cast the vote of the county for directors of the railroads.⁴ In September 1870, however, which incidentally was shortly after the adoption of the new constitution with its prohibition on such subscriptions,⁵ the board instructed its chairman not to sign the county bonds which had been issued to pay for the stock.⁶ A year later another motion to the same effect, requesting a delay until there should

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1. History of De Witt (Brink), p. 35, 80.
 2. Ibid., p. 80.
 3. Illinois Department Auditor of Public Accounts, Register of Bonds (1865-75), v. A, p. 180. There is nothing in the De Witt supervisors' records about this election. A search in other county records yielded no information. According to the source cited above, the subscription was made under an act of March 10, 1869, entitled "An Act to amend an act entitled 'An Act [approved March 4, 1867] to incorporate the Clinton, Gilman and Springfield Railroad Company'" (Priv. L. 1869, v. 3, p. 292-94). This act provided that upon a petition signed by at least ten citizens, legal voters and tax payers of the county, the county clerk was "required" to post notices of an election to vote for or against the subscription of stock in said railroad company. The effect of this provision was to remove the matter entirely from the jurisdiction of the board of supervisors.
 4. Supervisors' Record, v. C, p. 442, see entry 2.
 5. Separate section on Municipal Subscriptions to Railroads or Private Corporations explicitly stated that the right of any local government to make such subscription where it had previously been voted under existing laws should not be affected.
 6. Supervisors' Record, v. C, p. 459. Yet according to the act of March 10, 1869, already cited, it was "the duty" of the chairman of the board, after an affirmative vote on the subscription issue, to subscribe to the capital stock of said railroad company and also to execute to the company, bonds to pay for the stock (Priv. L. 1869, v. 3, p. 292).

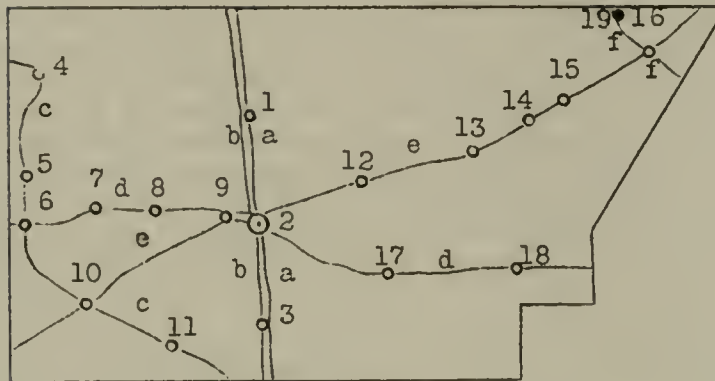
Historical Sketch

be a full investigation of the legality of the bond issue, was voted down, only one member, Walker, voting the affirmative.¹ It appears that the bonds were thereupon signed by the chairman, but not by the county treasurer. In 1875 the records mention suits against the county for the payment of interest on these bonds.² The county contended that the bonds were not valid since they had not been signed by the treasurer, and because the law authorizing the subscription was unconstitutional.³ After losing in the lower courts, the county carried the controversy into the Circuit Court of Appeals. While the matter was pending in the court at Springfield, a compromise was arranged; the county was to recognize the validity of the bonds and was to have the treasurer countersign them, in return for which it should be allowed a rebate in accumulated interest amounting to \$19,680 of the \$82,000 then past due.⁴ The compromise was apparently very unpopular with the voters; at the next township elections only two of the seven supervisors on record for the compromise were returned, while three of the five opposed were reelected.⁵

An interesting sidelight of this affair is the manner in which the county lost part of its railroad tax fund. During 1871 and 1872, taxes had been levied to pay the interest on the bonds, but then the board had decided not to make any payments pending the outcome of the court controversy. The treasurer in the meantime had collected \$7,642.09 on this tax levy, which fund he was permitted to hold for several years. In 1877, after the compromise had been arranged, the money was gone, and so was the treasurer.⁶

During the next few years, the over-due interest was paid off. In 1880, the railroad bonds, together with others owed by the county, the total amounting to \$175,000, were refunded at six percent.⁷ As already mentioned, these bonds were rapidly paid off.⁸

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1. Supervisors' Record, v. C, p. 491, see entry 2.
 2. Ibid., v. D, p. 55, 60, 67. The law, under authority of which the subscription had been voted, had made it "the duty" of the county clerk to compute and assess upon all taxable property a sum sufficient to pay the interest, the costs of collection, and the disbursements upon all bonds so issued (Priv. L. 1869, v. 3, p. 293).
 3. The legislature of 1869, anticipating that the coming constitutional convention would adopt a prohibition on the subscription to railroad stock by local governmental units, had hurriedly passed a number of unpopular railroad laws. This legislation later provoked a great deal of controversy and litigation throughout the state.
 4. Supervisors' Record, v. D, p. 157-59, see entry 2.
 5. History of De Witt (Brink), p. 79.
 6. Ibid., p. 78.
 7. Supervisors' Record, v. D, p. 343, 344, 374, 385, see entry 2.
 8. See p. 35.

TABLE VIII: Railroads in De Witt County

The names of the railroads, shown alphabetically, are: a, d, e. Illinois Central (various branches); b. Illinois Traction Incorporated, an electric line; c. Pennsylvania; and f. Cleveland, Cincinnati, Chicago and St. Louis. The names of the stations, in Arabic numbers, are: 1. Wapella; 2. Clinton; 3. Osapur; 4. Waynesville; 5. Tabor; 6. Midland City; 7. Hallville; 8. Jenkins; 9. West Junction; 10. Kenney; 11. Rowell; 12. Birkbeck; 13. De Witt; 14. Fullerton; 15. Parnell; 16. Farmer City; 17. Lanes; 18. Weldon; and 19. Watkins (Illinois Commerce Commission, Railroad Map of Illinois 1928).

In 1936 the assessed value of the railroads in De Witt County amounted to \$1,833,229.¹ This estimate did not include the valuation of the main line of the Illinois Central since this road is by law exempt from taxation.

School System, 1830-1940

Early Schools

When De Witt was organized in 1839, schools were few in number and primitive in method. Education was not a system but a casual affair. The existing schools were not public; neither were they common or free. As a matter of historical fact, the concept of public education is a development which has come almost entirely since the second quarter of the nineteenth century.

The history of early education in De Witt is merged in state history. The beginning of the public school system goes back to 1785, at which time the Illinois country had only a sparse population of French and Indians.

1. Illinois Tax Commission, Seventeenth and Eighteenth Annual Reports, Assessment Years 1935 and 1936, p. 225.

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The Ordinance of 1785¹ provided that "there shall be reserved the lot numbered sixteen of every township for the maintenance of public schools within the said township." The Federal enabling act of 1818² providing for the admission of Illinois into the Union, repeated this provision, and in addition it promised to the state five percent of the net proceeds of the sale of public lands, of which three fifths should be used for the encouragement of education. The new state then had school funds but no school system. Many of the early laws relating to education were concerned primarily with the administration of this money. A law of 1827 provided that the county commissioners' court should appoint three trustees of school lands in each township; these trustees were to lay off the township into school districts, so that each should contain not less than eighteen scholars, "subscribed or going to school."³ The school funds were to be apportioned according to the number of scholars in each district. Two years later another law provided for the appointment by the county court of a single school commissioner who should have charge of the school lands.⁴

Meanwhile, efforts were being made to establish a state-wide system of education. In 1825 the General Assembly enacted a progressive school law authorizing the legal voters of each school district to levy a tax for educational purposes upon all inhabitants of the district.⁵ Unfortunately, this free school feature was repealed two years later by the provision that no person should thereafter be taxed for the support of any school, "unless by his or her own free will and consent, first had and obtained, in writing."⁶ No person should be permitted to send his children to school unless he had consented to the taxation, except with the agreement of the local trustees. But all persons in the district should have the privilege of subscribing for the support of the school. Governed by such provisions, education in Illinois continued in a rudimentary stage until after 1840. In general, the schools were purely voluntary affairs, maintained by subscriptions, with a modicum of support derived from the school lands. Some of the schools were opened on the initiative of the teachers themselves who would then proceed to solicit subscriptions; others were organized as community projects. Everything depended upon the local leadership and upon the interest in education; wherever these were lacking illiteracy was permitted to flourish.

The early settlers of De Witt lost little time in setting up such schools as the pioneer conditions and the indifferent laws permitted.

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1. General Public Acts of Congress Respecting the Sale and Disposition of the Public Lands, I, Part 1, Laws, 11-16.
 2. 3 U.S. Stat. 536.
 3. P. L. 1827, p. 366.
 4. R. L. 1829, p. 150.
 5. L. 1825, p. 124.
 6. P. L. 1827, p. 364, 365.

Nearly every township in the county had at least one school by the middle 1830's, which was the period of the first settlement.¹ The first school on record was held in 1829 on the farm of Jacob Coppenbarger, in Tunbridge Township, section eight, and was taught by Edom Shugart, said to have been a man of good education for the time. The second recorded school was kept on the site of Waynosville in 1831 by William S. Dunham. The first house built for school purposes was completed in 1832 about a mile and a half north of Wapolla; Edom Shugart was employed as teacher. Other early teachers in the county were the following: J. J. McGraw, John B. Swearingen, William Lowory, Daniel Nowcomb, Walter Robin, John Heath, Jefferson Cross, Robert H. Pool, and Celia Lowory.

Most of these early schools were built of logs. Thomas Davonport, who taught during 1831 in what is now Clintonia township, recalled his school building as a very rude structure, with great cracks between the logs, according to his reminiscence, so large that a dog could crawl through.² The typical building had greased paper for windows; a fireplace for heating, or perhaps two, one at each end of the room; sometimes a chimney, often only a hole in the roof through which the smoke might escape; no floor except the ground itself; seats made of large split logs and supported by wooden logs; desks similar to the seats but held up by pins put into the wall. In such quarters the early teachers held sway, combining "licken and larnen," submitting often, however, to their pupils' demands for treats under penalty of "barring out" or ducking.

The pioneer teacher took his pay in subscriptions, paid usually in services or in produce of the farm and the hunt. In 1837, a group of people in Harp Township subscribed \$110 to pay for a six-month term, a rate which was less than \$1 a day.³ For such a meager salary, the teacher taught according to his ability and inclination, making the rounds of his room to hear each pupil recite individually, helping each one to "do his sums" and to pronounce difficult words, "setting" copy for those who had to practice penmanship, making and mending the goose quill pens, improvising lessons all the while because of the lack of textbooks. Figuratively, the teacher was expected to make bricks without straw. It is said that at one time a school of thirty pupils had only three spelling books.⁴

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1. Mary Welch, "Common Schools," History of De Witt (Brink), p. 102-9. Mary Welch was county superintendent of schools from 1873 to 1890. Her brief sketch of the development of the county school system was based upon the available records and upon the memories of the pioneers.
 2. History of De Witt (Brink), p. 151.
 3. Ibid., p. 276.
 4. Ibid., p. 105.

Historical Sketch

Development of the County School System

The first act of educational significance noted in county board records was the appointment in May 1839 of John J. McGraw, county clerk, to fill the position of school commissioner.¹ Although he held this position until 1855, McGraw was concerned primarily with the administration of school lands and the revenue derived from them, and was occupied hardly at all with the larger aspects of education.

During the period of the 1840's and 1850's, educational progress was continuous although not too rapid. An act of 1845 incorporated every congressional township as a district for school purposes;² then it empowered the legal voters of each such district by a two-thirds vote to levy a school tax not exceeding fifteen cents on one hundred dollars of assessed valuation. Ten years later, further advance was made by a law providing for a state school tax, for unlimited local taxation, and for a free school in every district open at least six months a year.³ The same law increased the functions of the school commissioner, giving him for the first time duties that were educational in nature. In 1865 this official became the county superintendent of schools and was given real supervisory duties over the schools throughout the county.⁴ With the enactment of this law, a county school system was at least made possible. During the following period, Mary Welch as superintendent of schools, 1873-1890, exercised a great influence in building up educational standards, in spite of the resistance of local interests.

The statistics reveal great progress in education from 1840 to 1880. In 1840, De Witt County had eleven schools, attended by 474 pupils; illiterates numbered 316 out of a total population of 3,247.⁵ Ten years later there were 41 schools attended by 941 pupils; the public funds devoted to education during the year amounted to \$787, none of which was derived from taxation.⁶ This school attendance was low for a district with a population of 5,002. After the educational reforms of the next fifteen years, however, De Witt County, together with the whole state, made a much better record. In the school year 1867, the number of pupils was 4,246 out of a school population (ages 6 to 21) of 5,213; the public schools

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1. Commissioners' Record, v. A, p. 12, in Supervisors' Record. See entry 2. McGraw had previously been a teacher, and, it is said, he had been one of the most successful in the county.
 2. L. 1845, p. 51-74.
 3. L. 1855, p. 51-91.
 4. L. 1865, p. 112-25.
 5. U.S. Census Bureau, Sixth Census or Enumeration of the Inhabitants of the United States, 1840, p. 87.
 6. U.S. Census Bureau, The Seventh Census of the United States, 1850, p. 721.

numbered 79, while the annual expenditures were \$38,465.¹ During the next decade and a half there was no substantial change in school statistics for the county. Writing in 1881, Mary Welch, county superintendent of schools, summarized the conditions under her supervision as follows: 4,566 pupils attending 8 graded schools - at Clinton, Wapella, Farmer City, Kenney, Waynesville, De Witt, Midland City, and Weldon - and 87 ungraded schools; the total expenditures during the year were \$44,320.25.²

There was much friction between the county superintendent, who was trying to raise school standards, and certain groups that were opposed to outside supervision. In the sketch on schools, mentioned above, Miss Welch reported that much of the school fund was wasted through poor management. She rated her county school system as only fair, and she mentioned better supervision as the outstanding need.³ At this time, the board of supervisors indicated its antagonism to Miss Welch by its resolution to pay her for 100 days during 1862.⁴ She asked for \$300 to put into operation a new school system but her request was turned down;⁵ however, in 1884, her appeal was finally granted.⁶

In January 1873, the board of supervisors drew up the following resolutions pertaining to education:

Be it resolved by the Board of Supervisors of De Witt County that the present registry law is useless and bothersome and a tax on the people without any benefit resulting therefrom and that both experience and economy as well as justice and right demand its immediate repeal.

Resolved second - that in our opinion the present requirements of the common school law in reference to the qualifications of teachers is an unjust discrimination in favor of certain state institutions and injurious to the masses of people and that equity and good conscious [sic] demand its immediate repeal.

Resolved third - that in our opinion the county superintendent of common schools is a mere man of straw and that the office should be abolished and a county board of examiners elected or appointed instead, thereof [sic] to be paid by the applicants for teaching.

Resolved four - that the foregoing resolutions be spread upon the record of this county and that a certified copy of the same be transmitted to our senator and representative from this county with our re-

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1. Newton Bateman, comp., Seventh Biennial Report of the Superintendent of Public Instruction, 1867-1868, p. 476, 480, 482, 516.
 2. Mary Welch, "Common Schools," History of De Witt (Brink), p. 109.
Note: total expenditures as shown in official report are \$46,290.95 (see table IX, p. 61).
 3. Ibid.
 4. Supervisors' Record, v. D, p. 422, see entry 2.
 5. Ibid., p. 510.
 6. Ibid., p. 552.

TABLE IX: School Statistics, 1867 to 1938¹

Item	1867	1881	1900	1920	1938
Children 6 to 21 years	5,213	5,554	5,827	4,874	6,355
Number of Pupils	4,246	4,566	4,595	3,985	4,081
Number of School Districts	81	96	97	98	100
Number of Schools	79	95	97	101	103
Number of Teachers	147	172	148	181	209
Number of Private Schools	5	-	-	-	-
Number of Pupils	245	-	-	-	-
Number of District Libraries	-	7	34	95	97
Number of Volumes	178	380	3,419	12,814	24,481
Average Monthly Wage: Male	\$ -	\$ 38.93	\$ 48.09	\$ 113.99	\$ 135.31
Average Monthly Wage: Female	-	26.69	40.77	70.90	85.59
Value of School Property	-	125,218	143,235	577,058	1,480,013
Expenditures for Year	38,465	46,290	64,618	251,033	284,611
District Tax Levy	27,612	36,364	64,215	250,275	323,919
Bonded Indebtedness	-	4,165	14,700	44,800	123,400

1. Illinois Department of Public Instruction, Biennial Report of Superintendent of Public Instruction: Seventh, 1867-1868; p. 477, 481, 489, 505, 517; Fourteenth, 1880-1881, p. 362, 365, 368, 377, 380; Twenty-fourth, 1900-1902, p. 299, 302, 305, 317, 337; Thirty-third, 1918-1920, p. 14, 22, 28, 50, 52, 61; Statistical Report for the Year Ending June 30, 1938, p. 2, 8, 12, 24, 34, 36, 37, 47.

quest that they and each of them use every honorable means to secure the repeal of the laws above referred to.¹

The first resolution, that concerning the registry law, referred to the school enumeration which the board of trustees of each township had to take. Each board was required by law to submit a statement every second year showing the condition of the township schools.² This statement was to contain, among other items, a report giving "the number of persons under twenty-one years of age, making a separate enumeration of those above the age of twelve years who are unable to read and write, and the cause or causes of their neglect to educate them." The opposition to this school census can be readily understood. Probably many parents regarded this enumeration as an inquisition into their private affairs.

The second resolution referred to the matter of state certification of teachers. County certificates were granted by the county superintendent on examination or on attendance at county normal schools.³ As to state certificates, the law required that they should be granted only "upon public examination, . . . in such branches and upon such terms and by such examiners as the state superintendent and the principal of the normal universities may prescribe."⁴ Apparently the state superintendent and the principals of the normal universities laid down conditions which could be met only by attendance at normal schools. This was considered a discrimination against the denominational schools.

The third resolution denounced the county superintendent and demanded the abolition of the office. This of course reflected the opposition of local interests which disliked educational supervision. Also, the resolution seems to imply that the superintendent had not been sufficiently amenable to political influences in his granting of teaching certificates. Shortly after this time, the board resolved that it would not pay for any more printing of examination papers for the superintendent of schools.⁵

This attitude toward education appears to have lasted some time. Not until 1903 did the board create an education committee from its membership to handle such affairs.⁶ In 1911 the county superintendent asked for an allowance for school visitation. The clerk then recorded the following: "no motion made and no action taken."⁷ In 1915 the superintendent asked for \$30 a month for office assistance and school visitation.

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1. Supervisors' Record, v. D, p. 543, see entry 2.
 2. L. 1872, p. 713, 714.
 3. Ibid., p. 722.
 4. Ibid., p. 723.
 5. Supervisors' Record, v. D, p. 20.
 6. Ibid., v. F, p. 425.
 7. Ibid., v. G, p. 318.

Historical Sketch

The matter was tabled.¹ Four years later, however, the superintendent was authorized to hire a clerk at a salary of \$80 a month for nine months.²

An item of significance was entered into the county records in June 1938. Mrs. Mary Porter, the county superintendent of schools, appeared before the board to speak about Senate Bill No. 6. She explained that she believed it was detrimental to the interests of the general public and requested the board to exert its influence against the bill. A committee was promptly appointed to represent the county at Springfield on this matter, also on the general relief question.³ Senate Bill No. 6 introduced a few days earlier in the special session of 1938, provided for the creation of a State Board of Education, which should be authorized to require sworn annual budgets from schools before they could share in the common school fund, and which should also prescribe standards for a minimum program of education. The bill was tabled.⁴

During the school year 1936-37, the school population (6 to 21 years) of De Witt County was 6,314, of whom 2,999 were enrolled in elementary and 1,091 in secondary schools.⁵ There were six 4-year high schools located as follows: Clinton, Farmer City, Kenney, Wapella, Waynesville, and Weldon.⁶ The total value of all school property was \$1,486,950; the total amount of taxes levied for school purposes during the year was \$307,156; the bonded indebtedness was \$145,050.⁷ The total number of teachers, elementary and secondary, including supervisors, was 208.⁸ There were no private schools in the county.⁹

Administration of Poor Relief

Old Pauper System, 1839-1870

The pauper system adopted by De Witt County in 1839 was based on a series of state laws extending back to territorial days. The fundamental

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1. Supervisors' Record, v. D, p. 520, see entry 2.
 2. Ibid., v. H, p. 144.
 3. Ibid., v. I, p. 320.
 4. Illinois Legislative Reference Bureau, Final Legislative Synopsis and Digest, No. 6. Action on all Bills and Resolutions Received to July 1, 1938, First Special Session, 60th General Assembly, p. 10.
 5. E. L. Coberly and Staff, comp., Statistical Report of the Superintendent of Public Instruction, for the year ended June 30, 1937, p. 2,5,8.
 6. Ibid., p. 148.
 7. Ibid., p. 40,41.
 8. Ibid., p. 16.
 9. Ibid., p. 44.

principles of the system, derived originally from the Elizabethan poor laws of England, were quite widely accepted throughout the United States at this time.

In 1807, a law of Indiana Territory provided that the county court in the several counties should appoint two overseers of the poor for each township.¹ These overseers were instructed to farm out to the lowest bidders all persons who had become public charges, and they were authorized to put out as apprentices (bind out) all poor children whose parents were dead or were unable to support them. After its admission to the Union, the new state of Illinois continued this system.² In 1827 the county commissioners of the several counties were vested with entire and exclusive superintendency of the poor in their respective counties.³ In 1839, however, the justices of the peace in each justice's district, "in conjunction with such person to be appointed by the county commissioners' court in the several counties," were made overseers of the poor.⁴ These overseers were required to make a full report of their activities to each session of the county commissioners' court. The same law authorized the commissioners to establish a county poor farm for the care of the indigent as an alternative to the system of district overseers.

The care of the poor was no more than a minor problem during the early years of De Witt County. In March 1840 the county court made the following appointments as overseers of the poor: Joseph Bowles, Clinton District; John Montgomery for Newcastle, Waynesville, and Long Point Districts;⁵ and Daniel Robbins for Marion, Mt. Pleasant, and Sangamon Districts.⁵ Thereafter, little mention was made of the overseers. A few other items concerning poor relief, however, were entered from time to time. In December 1839 the court ordered the sheriff to bring in the body of a minor to be dealt with according to law. When the orphan was brought in the next day, the court ordered James Vandeventer, one of its members, to keep the boy until the March term, or to find a suitable home for him elsewhere.⁶ At the next session of the court, the youth was indentured to George Lemon, who contracted "to care for Board Cloth and School until 21 years Old then give him a Horse Saddle and Bridle worth \$75.00 and a Suit of fine cloth."⁷ A short time later, another minor was bound out to David J. Ely while his sister was put into the care of Anderson Bowles until the next term of court.⁸ Other indigent persons

1. Pope's Digest, v. II, in Collections of the Illinois State Historical Library, v. XXX, Law Series, IV, 497, 498.

2. L. 1819, p. 127-39.

3. R.L. 1827, p. 309, 310.

4. L. 1839, p. 138.

5. Commissioners' Record, v. A, p. 43, in Supervisors' Record, see entry 2.

6. Ibid., p. 29.

7. Ibid., p. 33.

8. Ibid., p. 46.

Historical Sketch

were farmed out by the district overseers to the lowest bidders, who were then paid by the county court. The number of adult paupers was very small. Yet like most other counties, De Witt did have its "pet pauper" who was the object of public support year after year. For example, in September 1847, the court ordered \$1,37 be paid to B. L. Cundiff "for coffee, Tobacco and moving a pauper . . ."1 A year later, Benjamin Goldsmith was allowed \$10 for boarding this pauper during the preceding three months.2 At nearly every court session, a small payment would be allowed for some small item of merchandise allowed to this man. In 1849 the court ordered \$50 to be paid to Dr. James A. Lemon for amputating one of his legs, \$25 to be paid "when the Limb is amputated and the other \$25 to be drawn when the Limb is cured."3 The patient did not survive the operation, and for this reason (the limb not being "cured") the court had to make a special order allowing Dr. Lemon his second \$25. At the same time, the court completed its responsibility for the indigent when it allowed \$19 to Jacob Silvers for "Boarding attending and funeral Expeuce on a pauper during his last illness."4

During this period the overseers of the poor were officials without much to do. In most cases relatives could be found to care for indigent persons. Nevertheless, the county court adopted the poor farm system for a very brief period. In 1856 a farm was purchased from A. M. Pharis for \$1,750.5 John H. Alsop was appointed superintendent of the poor farm; by his contract he was obligated "to keep & maintain good order at the place to pay rent [\$103] within 12 months from date hereof he is to keep all the paupers that may be in the county paying for their boarding & washing the customary price deducting Labor of Pauper."6

This poor farm was continued in operation only four years. In September 1860 the board of supervisors, serving its second term after replacing the county court, voted to sell the county farm to the highest bidder.7 The price received for the farm was \$1,202.8 At the same time, a resolution was passed requesting each township to take care of its own poor.9 This resolution was followed two days later by another petitioning the De Witt representatives in the General Assembly to procure the passage of a law requiring "each township in De Witt Co to support its own poor in-

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1. Commissioners' Record, v. A, p. 276, in Supervisors' Record, see entry 2.
 2. Ibid., p. 301.
 3. Ibid., p. 343.
 4. Ibid., p. 351.
 5. Ibid., v. B, p. 149.
 6. Ibid., p. 207.
 7. Ibid., v. C, p. 79.
 8. Ibid., p. 82.
 9. Ibid., p. 65.

stead of having this done by the County as at present believing that there is a decided majority of Each town in favor of the above change Except the town of Clinton."¹

During the following decade, the farming-out system was resestablished. For example, in February 1862, a committee of three was appointed by the board "to hire out, let out, or dispose of all county paupers as they think best for the interests of the county." Each township supervisor was required to report his paupers to the committee.² The following year, John Adkinson was appointed special overseer of the poor for the whole county and was to keep the paupers in his home.³ In 1864, Thomas Harris was employed (apparently he was the lowest bidder) to keep the paupers for the following year at \$2.50 a week for each one.⁴ Harris was reemployed the next year but in 1866, Thomas McAvoy obtained the job by making a bid of \$2.25 a week.⁵ Apparently, however, this system did not give complete satisfaction. As early as 1861 a committee was appointed to consider the establishment of another poor farm.⁶ Again, in 1867, a committee was appointed to purchase a farm for a pauper home, which farm should be of 160 acres and not nearer than three miles to a depot or town.⁷ Nevertheless, the purchase was not completed until 1870.

During this period, a number of interesting provisions, somewhat unrelated, were made concerning the care of the poor. In June 1865 the overseer of the poor was required "to look after and Send Such of the pauper children to the Public School as he in his judgment think are capable of receiving instruction taught in Such School."⁸ At the same time the overseer of the poor was instructed to send all paupers to their relatives or to friends, and he was authorized to call on the board for transportation costs. A short time later, \$15 was allowed to A. B. Hull for taking a poor family to Cairo.¹⁰ The medical care of the poor was let out, apparently to the lowest bidder. In 1864, Dr. J. H. Madden was hired "to take care of the poor of county, giving medicine & surgical care, for \$150 or \$175."¹¹

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1. Supervisors' Record, v. C, p. 72, see entry 2.
 2. Ibid., p. 150,
 3. Ibid., p. 228.
 4. Ibid., p. 238.
 5. Ibid., p. 324.
 6. Ibid., p. 125,
 7. Ibid., p. 341,
 8. Ibid., p. 270.
 9. Ibid., p. 270,
 10. Ibid., p. 314.
 11. Ibid., p. 241.

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Two months later, Dr. Madden was allowed \$25 extra for a surgical operation.¹ In 1869 the board resolved that it would not hire any doctor belonging to the De Witt County Medical Association until further notice.²

County Poor Farm, 1870 to Present

After discussing for several years the matter of a new poor farm, the board finally took action in December 1870, purchasing 200 acres three miles from Clinton for the purpose.³ The records were silent about the details of the purchase since the board merely ratified the action of the committee. The board then ordered that the payment of the farm should be made in county orders bearing ten percent interest, payable in one, two, and three years from date.⁴ In February 1871 the committee was ordered to make a full report of its activities in purchasing and stocking the poor farm.⁵ There is, however, no record of such a report.

Some of the details of the purchase were brought to light several years later. In 1874 a committee was appointed to investigate the financing of the poor farm. This committee, unable to find much information in the official county records, made every effort to get at the facts by turning to other sources.⁶ Under the leadership of Robert Walker this committee made no charges or accusations but it did set down in forthright language such facts as it was able to find. The contract price for the 200-acre farm, which apparently did not have many improvements, was \$9,500, a value of \$47.50 an acre.⁷ At this time the average value of improved land, excluding the improvements, was \$10.99 in De Witt County.⁸ The committee found also that \$4,578.67 "seemed" to have been spent in building the house, buying teams, stock, farming tools, household furniture, seeds, and provisions for the first year. The financing of these various items could only be guessed at, since the records were silent. Bonds to the amount of \$5,000 appeared to have been issued, although there was no legal authority for such issue. As to the expenses and income of the poor farm during the preceding two years, the committee refused even to hazard a guess because it had found the records in a very imperfect condition.

This report was filed but not accepted. The board immediately appointed a second committee, giving as the reason the fact that Walker and his

1. Supervisors' Record, v. C, p. 246, see entry 2.

2. Ibid., p. 435.

3. Ibid., p. 472.

4. Ibid., p. 473.

5. Ibid., p. 479.

6. Ibid., p. 588.

7. Ibid.

8. "Biennial Report of the Auditor of Public Accounts to the Twenty-Sixth General Assembly," included as separate section in L. 1869, p. 105.

group had admittedly been unable "from the records and reports to ascertain the amount or amounts of revenue expended by said purchasing committee".¹ Three months later, this second committee made its report, having found on the sworn statements of the members of the purchasing committee that they had not misappropriated any county funds.² This report was accepted and ordered filed.

In the period since 1870 the county has spent a large sum on buildings for the poor farm. In 1875 a barn was ordered built at a cost not to exceed \$800.³ Three years later, a building was erected for the care of the sick, but no details were given.⁴ Extensive repairs were ordered during the next few years.⁵ Following this period, apparently few repairs and no additions were made for twenty-five years. In 1905 the poor farm committee reported that the main building was not satisfactory, also that there was no pest house on the farm, although the state law required one in each county. The committee recommended that a new house be built for the overseer so that the old building might be employed as a pest house. The board gave the committee the power to make the necessary changes.⁶ A year later the committee reported the total cost of the new building as \$4,049.50.⁷ At the same time, a small building was constructed on the farm for Eddie Carr. This man had a conservator who paid the county for his care.⁸ Shortly afterwards, extensive farm improvements were built.⁹ Meanwhile, the board of supervisors recognized the need for a new residence. In 1908 the board authorized the sale of a 40-acre timber tract, supposedly a part of the poor farm but actually too far away to be used as a part of it, the proceeds of which sale were to be used for the construction of a new house.¹⁰ No action was taken. The following year, the poor farm committee recommended the erection of a thoroughly modern building with living quarters and laundry under the same roof. The proposal was studied but postponed because the funds were not available.¹¹ In 1913 the poor farm committee reported that the small frame buildings used on the farm were unfit for habitation, since they were not properly heated, lighted, and ventilated, and were

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1. Supervisors' Record, v. C, p. 593, see ontry 2.
 2. Ibid., v. D, p. 13.
 3. Ibid., p. 65.
 4. Ibid., p. 257.
 5. Ibid., p. 284,410.
 6. Ibid., v. G, p. 33.
 7. Ibid., p. 57.
 8. Ibid., p. 63,74.
 9. Ibid., p. 186.
 10. Ibid., p. 173. The timber tract was not sold until 1917 (ibid., v. H, p. 38).
 11. Ibid., v. G, p. 236,240,250.

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hard to keep clean. The committee recommended a modern fireproof structure.¹ The board agreed to proceed with the construction as soon as funds became available. The building should be 42 by 80 feet, two stories in height with a basement, and furnished with modern equipment, the total cost of which was estimated to be \$25,000.² The construction was started soon afterwards but was not completed until early in 1915.³ Ten years later, following the destruction of the superintendent's residence by fire, the public building committee was authorized to make arrangements for the construction of a new building.⁴ In 1927 the pest house was repaired and reconditioned.⁵

The financial reports of the poor farm are of some significance. In 1876 the invoice of the property on the farm was fixed at \$5,073.85.⁶ This amount showed little change during the next few years. For 1887 the superintendent reported his total expenditures as \$1,390.98, while his total receipts were \$1,014.98;⁷ the following year, receipts were \$1,242.34 and expenditures were \$1,230.75.⁸ In 1901 the invoice of personal property was \$4,308.58, the receipts (for 1900) were \$2,003.17, and expenditures were \$1,623.85.⁹ In 1910 the total inventory amounted to \$10,376 of which, \$8,167.05 was livestock and machinery.¹⁰ At this time, and also during the later years, the receipts continued to exceed the expenditures.

The superintendent of the poor farm has always been appointed for one-year terms, although details of appointment have varied. In 1874 the poor farm committee was instructed to hire Henry Stauffer for ten months at a salary of \$700.¹¹ In 1881 the board advertised for bids, then hired a man by the name of More at a salary of \$850.¹² The following year, after the resignation of More, the board considered thirteen applicants, from which group it selected Henry C. Henson, who was to receive \$750 a year.¹³ Henson was reappointed several

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1. Supervisors' Record, v. G, p. 417, see entry 2.
 2. Ibid., p. 438.
 3. Ibid., p. 521.
 4. Ibid., v. H, p. 375.
 5. Ibid., p. 436.
 6. Ibid., v. D, p. 109.
 7. Ibid., v. E, p. 159.
 8. Ibid., p. 197.
 9. Ibid., v. F, p. 290.
 10. Ibid., v. G, p. 250.
 11. Ibid., v. D, p. 31.
 12. Ibid., p. 428.
 13. Ibid., p. 466, 467.

times. In 1901, J. W. Foster was selected at a salary of \$50 a month;¹ in 1904, however, he was allowed \$200 extra compensation.² For 1921 the salary was increased to \$1,200.³ In September 1928 an interesting proposal was debated. The motion was made that the selection of the superintendent and matron of the poor farm should not be made a political issue. The motion did not carry.⁴ On September 10, 1940, Mr. and Mrs. Charles Stivers were rehired for the coming year at a joint salary of \$1,000 to be paid in county warrants drawn monthly.⁵

The poor farm committee has made frequent reports on the conditions at the farm. The report of May 1878 was as follows: "Report of Sanitary condition of the county house Saturday May 5, 1878. No. Inmates (30) adults (19) children (11) a number of the adults are old and helpless - One Mrs. Cartmill is by her family Record 105 years Old - Six of the females are insane. Conditions at county House are good."⁶ Usually, however, the committee would report conditions as satisfactory without going into detail. For example, in June 1937 the farm was reported in first class condition with the inmates well cared for. The committee had no suggestions to make.⁷

The method of caring for dependent children has varied. During the early years children were kept at the poor farm with other indigent persons. In 1876 the poor farm committee was instructed to make arrangements with the district school directors so that the children on the farm might attend the nearest school.⁸ The system of binding out, however, was not abandoned. In 1871 a colored child was bound out to James Franklin.⁹ Even the children on the poor farm might be bound out on application duly endorsed by the proper township supervisor.¹⁰ In 1883 the chairman of the board was instructed to bind out all children who had become county charges.¹¹ Nevertheless, it appears from the records that most of the dependent children continued to be cared for on the farm. In 1897 the board entered into a contract with the Illinois Childrens' Home Society of Chicago whereby this or-

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1. Supervisors' Record, v. F, p. 326, see entry 2.
 2. Ibid., p. 520.
 3. Ibid., v. H, p. 175.
 4. Ibid., p. 477.
 5. Ibid., v. I, p. 415.
 6. Ibid., v. D, p. 241.
 7. Ibid., v. I, p. 274.
 8. Ibid., v. D, p. 106.
 9. Ibid., v. C, p. 477.
 10. Ibid., v. D, p. 231.
 11. Ibid., p. 496.

Historical Sketch

ganization was to care for the dependent children of the county, the board agreeing to pay \$50 for each child so taken.¹ Even after this time, some of the children remained on the farm. In 1899 the board resolved that the others should be placed in homes as soon as possible.² Since this time, children have not been kept at the poor farm, except for temporary periods.

Feeble-minded children were kept at the poor farm for a few years during the 1870's. In 1877, however, the board ordered the feeble-minded children removed from the farm and placed in the state institution recently established for the purpose.³ Two years previously the De Witt supervisors had tried to secure the location of this state asylum at Clinton.⁴

Prior to the establishment of the poor farm, insane persons were sent to the state hospital for the insane, the expenses of which care were borne in part by the county. In 1877, part, or all, of the De Witt County inmates were removed and placed in the poor house.⁵ Five years later the poor farm committee was instructed to prepare plans for a building at the county home to confine insane persons.⁶ This building was never constructed. Apparently the system of caring for the insane on the poor farm was not satisfactory since in 1888 the records disclosed that the county had eleven insane persons in the hospital at Kankakee and sixteen at Jacksonville.⁷ Under this system of care for the insane poor, the county was required to make a payment every six months for clothing and other incidental expenses.⁸ Each county was allowed a quota for patients in the asylum of its district, a number which might be exceeded under certain conditions. The law of 1881 fixed the De Witt quota at nine. In 1888, as noticed above, this quota was greatly exceeded. A few years later some of these patients had to be removed,⁹ probably because of overcrowding. In 1897 the board made arrangements to have its insane poor cared for on the poor farm of Livingston County, by which contract De Witt was to pay \$2.50 a week for each patient. At this time, five persons

1. Supervisors' Record, v. F, p. 102, see entry 2.

2. Ibid., p. 168.

3. Ibid., v. D, p. 199.

4. Ibid., p. 36.

5. Ibid., p. 180.

6. Ibid., p. 466.

7. Ibid., v. E, p. 159.

8. For the details of this system see L. 1875, p. 83-85; L. 1877, p. 51-53; L. 1881, p. 151-53; L. 1889, p. 26-28.

9. Supervisors' Record, v. E, p. 404.

were removed from Kankakee to Livingston County.¹ The records do not disclose how long this arrangement was continued. About 1900, however, public opinion in Illinois began to demand exclusive state care for the insane. A law of 1907 provided that as soon as sufficient state accommodations could be built no insane poor should be permitted to remain under county care.²

The care of the poor remained a county responsibility in De Witt until 1931. Special state laws prior to 1870³ had authorized a number of counties by popular vote to adopt township care of the poor. In 1860 the De Witt board, over the protest of the Clintonia supervisor, had requested the General Assembly as noticed above,⁴ for this special privilege. Apparently this movement for separate township care was connected with the abandonment of the first county poor house. De Witt County, however, was never authorized to vote on separate care, although during the 1860's many other counties were granted this privilege.⁵ Hence the county continued to administer the poor laws and to pay all the costs. Since De Witt has been governed under township organization, the various town supervisors have served, ex officio, as overseers of the poor. In Clintonia Township there has been a special overseer of the poor, appointed by the county board and paid out of county funds.⁶

In 1876, several years after the establishment of the second poor farm, the board resolved that it would not authorize any relief to poor persons outside the poorhouse,⁷ but this rule did not remain in force very long. During later years the board appropriated annually tax funds, usually about \$1,500, for the care of indigent persons outside the poorhouse. But in 1927 the old policy was adopted again in the following resolution: "Resolved by the Board of Supervisors

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1. Supervisors' Record, v. F, p. 91-93, see entry 2.
 2. L. 1907, p. 67.
 3. The Constitution of 1870 prohibited the General Assembly from passing any special legislation (Art. IV, sec. 22).
 4. See p. 65,66.
 5. Sophonisba P. Breckinridge, The Illinois Poor Law and Its Administration, p. 28. Hereinafter referred to as Breckinridge, The Illinois Poor Law.
 6. An act of 1877 (L. 1877, p. 143) provided that such an official might be appointed in townships of 4,000 population or over. Without delay, James DeLand of Clintonia Township requested the board make such an appointment, which was later done (Supervisors' Record, v. D, p. 182,205).
 7. Supervisors' Record, v. D, p. 154, see entry 2.

of De Witt County, Illinois that all persons, except women with children, desiring aid from De Witt County and entirely dependent upon the county for Support must be taken care of at county Farm."¹ Persons with any property who applied for admission to the county home were required to transfer their real and personal property to the county before they could be accepted as inmates.²

Other Forms of Public Assistance

The system of medical care of the poor has varied from time to time. In 1882 each township supervisor was requested to make the necessary arrangements for the medical care of his poor.³ The funds for this purpose, however, were appropriated out of the county treasury; at this time, about \$750 was spent annually for this purpose.⁴ By 1890 this appropriation had increased to \$900,⁵ which was the usual amount spent during the years following. In 1917, Dr. George Edmonson offered to do all the surgical work of the county for the poor, asking only that the county should pay the hospital bills. The board accepted and voted thanks to him for his liberal offer.⁶

The county board has always fixed the rates to be allowed for the burial expenses of the poor. In 1862 the board resolved that it would allow only \$5 for coffins for paupers.⁷ By 1910 the amount allowed for burial expenses was \$20.⁸ Ten years later, \$50 was allowed.⁹ In December 1939 the board fixed a schedule of rates, ranging from \$20 to \$100, depending upon the size of the casket.¹⁰

In 1903 the General Assembly passed a law providing that counties might contribute public money for the support of needy blind persons.¹¹ De Witt County, however, did not use this power until 1915. In March 1905 three applications for blind relief were read but were tabled.¹² Ten years later, one of these same persons applied again; his applica-

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1. Supervisors' Record, v. H, p. 461, see entry 2.
 2. Ibid., p. 202.
 3. Ibid., v. D, p. 445.
 4. Ibid., p. 523.
 5. Ibid., v. E, p. 269.
 6. Ibid., v. H, p. 50.
 7. Ibid., v. C, p. 168.
 8. Ibid., v. G, p. 266.
 9. Ibid., v. H, p. 166.
 10. Ibid., v. I, p. 393.
 11. L. 1903, p. 138, 139.
 12. Supervisors' Record, v. G, p. 16.

tion was referred to the poor committee.¹ In 1916 a list of applications was read, following which a motion was passed to allow the applicants \$150.² Apparently the board used its own judgment in passing on these claims since at this time it refused to appoint an examiner for blind applicants.³ In 1928, at which time eighteen blind persons were drawing a total of \$6,000, the board voted to require a reexamination of these pensioners, and it set up a permanent committee to examine all such claims.⁴ In 1936 the tax rate for this purpose was two cents on one hundred dollars of assessed valuation;⁵ in 1939 it was four cents.⁶ The number drawing such pensions has gradually increased from ten in 1916 to twenty-seven in 1939; the amount paid out has risen from \$3,000 to \$4,021.⁷

The state provided for aid to another group in 1913 when it enacted a law permitting counties to grant support to indigent mothers of small children.⁸ Two years later the De Witt board granted \$360 for this purpose, from which fund two mothers received pensions.⁹ During each of the next three years, \$180 was paid to one mother.¹⁰ Then in June 1919 the board agreed to pension mothers who were widows with children under fourteen.¹¹ In that year, nine mothers received \$2,916.¹² During the 1920's, however, the number of pensioners was much smaller, except in 1927, when \$3,360 was paid to eight mothers.¹³ Finally, in 1936, a new policy was adopted, as a result of which thirty-six mothers received \$6,000.¹⁴ There has been little change since that year. In September 1940 a tax rate of four cents was levied for mothers' pensions.¹⁵ A report of July 1940 showed that ninety persons were dependent on such aid.¹⁶ The administration of those pensions is under the county court.

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1. Supervisors' Record, v. G, p. 543, see entry 2.
 2. Ibid., v. H, p. 16.
 3. Ibid., p. 5.
 4. Ibid., p. 480.
 5. Ibid., v. I, p. 249.
 6. Ibid., p. 383.
 7. Ibid., v. H, p. 23; Register of Application for Blind Relief, v. 1, p. 1-16, see entry 14.
 8. L. 1913, p. 127.
 9. Probate Journal, v. 24, p. 119, see entry 156.
 10. Ibid., p. 355, 518; Mother's Pension Record, v. A, p. 1-59, see entry 12.
 11. Supervisors' Record, v. H, p. 123, see entry 2.
 12. Mother's Pension Record, v. A, p. 1-59, see entry 12.
 13. Ibid.
 14. Ibid.
 15. Supervisors' Record, v. I, p. 426, see entry 2.
 16. Illinois Emergency Relief Commission, Monthly Bulletin on Relief Statistics, VII, No. 7 (July 1940), 120. Hereinafter referred to as Monthly Bulletin on Relief Statistics, July 1940.

Historical Sketch

Since Illinois has not complied with the provisions of the National Social Security Act, which provides Federal grants-in-aid for dependent children, local tax payers, as well as the mothers and children affected, are not yet benefited by this aid.

A third form of public assistance is the Federal-state system of old age assistance, popularly called old age pensions. Under this system the local public welfare officials make monthly payments to indigent persons 65 years of age and over; the Federal Government then makes grants-in-aid to the state to cover fifty percent of all payments not exceeding \$30 a month.¹ The administration of old age assistance is in the hands of the county superintendent of public welfare, who is paid from state funds.² This service is no burden on the county treasury since the state not only bears the costs of administration but also appropriates funds for monthly benefits, sharing this latter expense with the Federal government. The payments of old age assistance began in De Witt County during 1936.³ In June 1940 there were 576 persons in the county dependent on old age assistance.⁴ Apparently the administration of this service caused some friction with the county board. In December 1939, Mecca McIntyre, the county superintendent of public welfare, appeared before the board to explain that she had to move from the courthouse because of inadequate space. She asked the board to pay the expenses of rent, electricity, and telephone. The supervisors voted to pay the telephone bill but no other expense.⁵

Unemployment Relief During the Depression

The great depression of 1929 and the years following brought a tremendous need for emergency relief. In 1930 the Federal census counted in De Witt County, 213 persons totally unemployed and 109 others on temporary layoffs without pay.⁶ During the next several years, as the depression deepened the figures on unemployment rose rapidly.

1. This was raised to \$40 a month by a Federal law of 1939.

2. L. 1937, p. 451,452.

3. Supervisors' Record, v. I, p. 213, see entry 2.

4. Monthly Bulletin on Relief Statistics, July 1940, p. 120.

5. Supervisors' Record, v. I, p. 391.

6. U. S. Bureau of the Census, Fiftieth Census of the United States; 1930, Unemployment Bulletin, Illinois, Unemployment Returns by Classes, p. 30.

Long before the depression reached its depth, the system of county support for the poor collapsed. Even during the prosperous twenties, which, however, were none too prosperous in agricultural districts such as De Witt, the care of the poor was an onerous burden on the taxpayers. In 1928, De Witt County allotted \$20,000 out of its corporate levy of \$89,680 for poor relief.¹ In 1929, \$30,000 out of a corporate levy of \$104,680 went for poor relief; in 1930, \$26,000 out of \$96,780.² Then, as the need for relief increased month by month, the ability of the county to meet this need steadily decreased. The corporate levy for the county declined as follows during the next three years: 1931, \$85,680; 1932, \$65,480; 1933, \$63,550.³

Confronted by increased need and decreased financial resources, the county authorities throughout the state began asking assistance from the General Assembly.⁴ Moreover, statutory limitations on the taxing power of counties intensified the general relief crisis. A law of 1927 had reduced the corporate tax limit of counties from fifty to twenty-five cents;⁵ certain functions, such as blind relief, mothers' pensions, and highways, were excluded from the corporate levy but poor relief was included. Hence when the depression intensified relief needs, the counties were unable to respond.

As a result of applications for relief from county authorities, the General Assembly in 1931 hastily enacted the so-called "Finn Bill," which imposed the responsibility for the care of the poor upon the townships,⁶ thus relieving counties under township organization from an embarrassing obligation. The avowed reason for the change was that counties throughout the state had reached the limit of their taxing power while townships could tax without limit.⁷ This law, which placed an unbearable burden upon the smallest and weakest political unit, was merely a temporizing expedient; it did indeed relieve certain persons, but not those most in need of economic relief.

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1. Supervisors' Record, v. H, p. 478, see entry 2. The tax levy was \$89,680 but the taxes actually extended, at a rate of twenty-five cents, was only \$63,395.
 2. Ibid., p. 505,533.
 3. Ibid., p. 572; ibid., v. I, p. 39,86.
 4. In June 1930, the De Witt county board passed a resolution asking the legislature to take action for "the financial relief of counties" (Supervisors' Record, v. H, p. 530, see entry 2).
 5. L. 1927, p. 384.
 6. L. 1931, p. 725,726.
 7. Breckinridge, The Illinois Poor Law, p. 46,47.

Historical Sketch

In 1932 the townships of De Witt County spent \$29,200 for poor relief, while the county spent only \$1,200;¹ the total local expenditures barely exceeded the amount spent by the county alone in 1929. Because the economic depression continued unabated and because of the inadequacy of the system of local unemployment relief, the problem of assistance reached a crisis; for this reason during the last months of 1931 and the first months of 1932, the General Assembly held four special sessions to devise some solution for the "emergency." The result was the creation of the Illinois Emergency Relief Commission.² This Commission, constituted with seven members, was to help provide relief for needy residents of the state, working in cooperation with counties, townships, and other municipal corporations charged by law with responsibility for the poor, sharing relief costs with local authorities through the distribution of \$20,000,000 from the state treasury.

The De Witt county board of supervisors lost no time in making application for state funds, taking such action on March 9, 1932.³ The first allotment of money from the Commission was made in May of the same year.⁴ During the next five months, that is, up to the end of September, the I. E. R. C. allotted \$16,021.50 to De Witt County, of which \$6,866.15 had come originally from the Federal Government.⁵ The total relief funds spent by public authorities in the county from October 1, 1931, to September 30, 1932, amounted slightly over \$50,000, including \$3,700 derived from private donations.⁶ For the administration of this fund, a county emergency relief committee was organized, consisting of Charles F. Bogardus, chairman; H. W. Myers, secretary; and C. A. Nebel, John Parker, and Miss Harriet Severns - all of whom were residents of Clinton.⁷

The fourth special session of the General Assembly in 1932 authorized county boards by a vote of two thirds of the membership to issue

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1. Illinois Emergency Relief Commission, First Annual Report, for the year ending February 5, 1933, p. 128. These figures covered the period from October 1, 1931 to September 30, 1932. They are from a special study made by the Commission. This study covered twelve of the thirteen townships, which, however, had 97.7 percent of the county's population.
 2. L. 1931-32, Third Sp. Sess., p. 191-97.
 3. Supervisors' Record, v. I, p. 16, see entry 2.
 4. Illinois Emergency Relief Commission, First Annual Report, p. 46.
 5. Ibid., p. 116, 118.
 6. Ibid., p. 128.
 7. Ibid., p. 137.

bonds for relief.¹ The De Witt county board immediately acted under this authority, voting bonds to the amount of \$40,000.² The records, however, contain no further reference to these bonds.

In the period from February 1932 to the end of June 1938 the total expenditures for relief in De Witt County were \$785,922.88, of which \$300,992.64 had come from the Federal Government (none after July 1935), \$329,456.40 from the state, and \$155,473.84 from local sources.³ From July 1, 1939 to June 30, 1940 the total obligations for general relief and administration in the county amounted to \$112,295; of this total, \$67,030 had come from the state and \$45,265 from local tax payers.⁴

In December 1932 there were 420 families in De Witt County on relief, receiving an average of \$11.90 a month.⁵ During the next year this number showed little change, but in 1934 the relief load rose rapidly, reaching 896 in June of that year.⁶ After this date there was little change, except for seasonal declines during summer months, until the beginning of 1936, at which time a general decrease began, the number falling to 367 in June of that year,⁷ thereafter fluctuating between a summer low slightly under 400 and a winter high somewhat over 500.⁸ In January 1936 the average relief per family was \$19.94 a month;⁹ in June 1940, the average was \$17.95.¹⁰

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1. L. 1932, Fourth Sp. Sess., p. 14-16.
 2. Supervisors' Record, v. I, p. 52, see entry 2. The board spoke of these bonds as motor fuel tax bonds. Apparently it was intended that they should be repaid out of motor fuel tax allotments from the state.
 3. Illinois Emergency Relief Commission, Biennial Report . . . July 1, 1936 through June 30, 1938, p. 169.
 4. Ibid., Monthly Bulletin on Relief Statistics, VII, No. 7 (July 1940), 123.
 5. Ibid., First Annual Report, p. 55.
 6. Ibid., Second Annual Report, . . . February 6, 1933 . . . June 30, 1934, p. 186.
 7. Ibid., Biennial Report, . . . July 1, 1934 through June 30, 1936, p. 176.
 8. Ibid., Biennial Report, . . . July 1, 1936 through June 30, 1938, p. 138, 142.
 9. Ibid., Monthly Bulletin on Relief Statistics, III, No. 2 (February 1936), 4.
 10. Ibid., Monthly Bulletin on Relief Statistics, VII, No. 7 (July 1940), 116.

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The fall in the relief load which occurred early in 1936 was largely due to the work relief program of the Works Progress Administration. During most of the following four and one-half years the number on WPA probably equaled the family relief load. In the autumn of 1937, after a substantial reduction in WPA employment, the number of emergency workers in De Witt County was 324.¹ In June 1940 the number of persons dependent on WPA was estimated at 1,660,² which indicates that there were well over 400 WPA employees. At this time, 3,618 people (19.5 percent of the county population) were estimated as dependent on five forms of public assistance, distributed as follows; general relief, 1,537; WPA, 1,660; old age assistance, 578; mothers' pensions, 90; and blind pensions, 37.³

Politics and Administration of Relief

At first the De Witt county board of supervisors cooperated with the Illinois Emergency Relief Commission without objection. During 1932 and the early months of 1933 the board turned over to the county relief committee all allotments of state funds.⁴ But in December 1933, when called upon to recommend new members for the county committee, the supervisors gave vent to their feelings in a series of "whereasses" which mingled expressions of protest and gratitude, ending with an innocuous and compliant "Be it Resolved." On the one hand, the board protested that each township supervisor was the overseer of the poor in his district, and it contended that local people were more familiar with the needs of their communities than any outsiders; on the other hand, it acknowledged its complete dependence on state and Federal aid, for which it was properly appreciative; then in conclusion, the board proceeded to make the necessary recommendation, thereby explicitly surrendering its authority over relief administration.⁵ A month later, however, the board attempted to reclaim part of its lost power. It asked for the resignation of Irma Maasberg, the county director of emergency relief, who had been appointed by the county committee, because she had not cooperated with the board nor shown it proper respect. The resignation of Mary E. Humphrey, the district representative of emergency relief, was also requested.⁶

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1. John D. Biggers, administrator, Census of Partial Employment, Unemployment, and Occupation: 1937, I, 610.
 2. Monthly Bulletin on Relief Statistics, July, 1940, p. 120.
 3. Ibid.
 4. Supervisors' Record, v. I, p. 47, 64, see entry 2.
 5. Ibid., p. 100.
 6. Ibid., p. 104. Miss Maasberg did not resign (ibid., p. 180).

In July 1935, Federal aid for relief was replaced by the employment program of the Works Progress Administration. With the ending of Federal requirements for relief administration, there arose an insistent demand for a return to complete local authority over relief. The De Witt board participated in this campaign through the following resolution: "Therefore be it Resolved by the Board of Supervisors of De Witt County assembled in Special Session this 14th day of January 1936 that we go on Record as unanimously favoring the Return to De Witt County of the Entire Share of both the Sales and Motor Fuel Tax collected for Relief purposes . . . to be used by the Supervisor for aid to poor and indigent persons of Said County." A copy of this resolution was sent to the General Assembly.¹ A month later, the legislature passed an act terminating the administrative functions of the Illinois Emergency Relief Commission on May 1, 1936 (later changed to June 30, 1936).² Thereafter the commission was to continue chiefly as an agency for the allocation of state relief funds to the counties, leaving the spending of this money and the administration of relief to local authorities. Relief then reverted to the township supervisors (in counties under township organization), returning to the system set up by the Finn Bill of 1931.³

These laws of 1936 did not, however, settle the matter of relief administration. Without delay Governor Horner requested the Illinois Emergency Relief Commission to have a study made of the matter. The report, submitted in December 1936, recommended the establishment of a central state agency which should have supervisory authority over the local authorities charged with the administration of relief.⁴ The De Witt board immediately went on record "as vigorously opposing in every possible way any change in relief set up."⁵ The proposed changes were not adopted.

Even after the defeat of this proposal the De Witt board of supervisors was not satisfied. In December 1937 it adopted the following resolution:

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1. Supervisors' Record, v. I, p. 212, see entry 2.
 2. L. 1935-36, Second Sp. Sess., p. 23, 24.
 3. A law filed July 19, 1935 (not signed by Governor Horner), had provided that "counties shall relieve and support all poor and indigent persons" (L. 1935, p. 1055-59). This left the administration of relief in a confused condition until a law of January 1936, passed during a special session, placed this responsibility on the township supervisors (L. 1935-36, First Sp. Sess., p. 128).
 4. Illinois Emergency Relief Commission, Biennial Report . . . July 1, 1936 through June 30, 1938, p. 3.
 5. Supervisors' Record, v. I, p. 263.

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Whereas the Illinois Emergency Relief Commission was created as an emergency corporation to cope with the situation beyond the control of local authorities and whereas the present situation demands that the administration of relief and allocation of relief funds be restored to authorities in closer touch with local needs, and whereas the present method of administering relief in Illinois is inadequate, ineffective and incompatible with the American ideas of good citizenship and whereas the allocation is unfair, unjust and inequitable, therefore, be it resolved: 1. That immediate steps be taken to abolish the Illinois Emergency Relief Commission. 2. That the allocation of relief funds be made by the Governor, State Treasurer and the Auditor of Public Accounts. 3. That such allocation be made direct to the county Treasurer on the basis of per capita on relief and that the county Treasurer be authorized to distribute the allocation to townships according to the number on relief. 4. That the township supervisor in counties under township organization and the commissioners in counties under commission form of government be responsible for the final distribution of relief funds to clients. 5. That townships and counties be not required to make any specified levy [the maximum poor relief tax rate levy, three mills, is required. L. 1935-36, Second Sp. Sess., p. 14,85.] in order to share in the refund of sales tax and utilities tax earmarked for relief, and that such fund be made available on a pro rata basis of the levy made. 6. That the Retailers Occupation Tax Law be amended so as to eliminate so far as possible the necessity of a township levy for pauper relief, the apportionment of this tax to be made by the allocating body on the basis of township levies for the year 1936. 7. That relief clients be certified immediately upon application to work projects and not be required to not [sic] be on relief thirty days to be eligible for work relief. 8. That the cost of administration be fixed at not to exceed eight per cent. . . . This resolution was adopted by a unanimous vote.¹

Two years later the De Witt board adopted another resolution on the relief issue, as follows:

"Whereas there is a well organized group of people in this State, who are preying on the Tax Payers, and usurping

1. Supervisors' Record, v. I, p. 302, see entry 2.

in Everyway possible the functions of duly Elected public officials who are charged by our Laws with the Administration of Relief to poor and indigent persons.

"Whereas, this group which was originally created to function in an Emergency in aiding the duly Elected Officials in a time of Stress, are trying to Entrench themselves in permanent positions, by Spreading insidious propaganda in our general assembly and by Sponsoring Legislation to further deprive the people of this State of what little Semblance of home rule, they have Left in Small units of government, and, whereas there are now Bills in the general assembly of Illinois which if Enacted into Laws will take the last vestige of Home Rule from the people and place the care of the poor and indigent, the Blind, the Mothers, the Orphans and the dependent children, at the mercy of a 'social welfare' group, whose main objective is the retention of lucrative positions and whose Slogan Seems to be Salaries for Social Workers First, Standardized Charity next, and, whereas these Social Workers and the Illinois Emergency Relief Commission have in the past and are now making rules and regulations that have all the Effect and power of Laws Enacted by the general assembly itself, thus using powers that we think the general assembly never intended to confer upon them.

"Now therefore be it Resolved that we the duly Elected Township Supervisors, county commissioners, county, circuit, and probate clerks, county Treasurers, County Recorders, and county auditors, at our 53rd annual convention, convening in the city of Quincy, Illinois, this 28 day of April, 1939, are unalterably opposed to the Enactment of any Laws that confer upon any Board, Commission, Bureau or department, powers that are vested under our Constitution only in the general assembly.

"Be it further Resolved - That our Committee on Legislation be instructed to contact all Members of the general assembly for the purpose of opposing the Enactment of any Legislation tending to deprive the people of this State of their constitutional Rights. . . ."1

In March 1940 the board expressed its disapproval of the new law fixing the residence requirement for the purpose of relief. This law forbade the giving of public relief by any local governmental unit unless the applicant had resided within the local district for three

1. Supervisors' Record, v. I, p. 386, see entry 2.

Historical Sketch

years immediately preceeding his application for support.¹ The De Witt supervisors indorsed a resolution adopted at Decatur by representatives of six central Illinois counties, which resolution requested the General Assembly to return to the one-year residence requirement.²

Conclusion

This sketch had dealt with the administrative highlights of De Witt County history. The story as told here is quite typical of county government throughout the United States. In the state of Illinois certain general patterns of administrative behavior are found from county to county at each period of history. The account of De Witt county finance reveals very clearly such state-wide patterns. Before the Civil War the people of Illinois showed an intense aversion to taxation. It was then difficult for county commissioners and board supervisors to levy sufficient taxes to meet even the limited public services of that time. In De Witt County the public debt rose steadily from 1839 to 1861. Then came the Civil War. During these years of patriotic sacrifice the taxpayers did their share by meeting without complaint the extraordinary obligations imposed upon them. This tax-paying habit, once acquired, persisted after the War.

Another general pattern in finance is found in the post-war years, especially in the 1870's. During these years there was widespread graft and corruption throughout the United States, both in government and business. Certain episodes revealed in this sketch were the local manifestations of national conditions prevailing at the time.

The public records of De Witt County reveal also a bright side. During the century of county history there were many officials who served with wisdom, integrity, and zeal. Although several short periods of administrative laxity are found in the century of county government, they are much more than overbalanced by the many years of careful and competent administration, undistinguished for this very reason. In general, the supervisors' records reveal throughout their many volumes a well-developed spirit of local self-government, perhaps misguided at times but always keen and vital. It is probable that this better side of county administration has been much under-emphasized in this sketch because competence and integrity are ordinarily unspectacular.

1. L. 1939, p. 838.

2. Supervisors' Record, v. I, p. 397, see entry 2.

2. GOVERNMENTAL ORGANIZATION AND RECORDS SYSTEM

Introduction

The county in Illinois is a corporate body¹ and an administrative unit of the state; its governmental organization is at all times largely an expression of this dual nature.

The growth of the county as a body politic is reflected, in each of the state's three constitutional periods, in a progressive expansion of the powers which may by law be exercised by the county board, and in the creation of new, and the extension of existing, county offices. The latter phase of growth in De Witt County and in others similarly organized at present, has also been affected by the adoption of township organization, which for the first time constituted the civil towns as an additional level of government.

An analogous development appears in the state's invasion of new fields of government and the extension of the county's role as its agent. Originally, the county performed but a single important function for the state, that of collecting its share of the taxes levied within the county. Since then, however, education, public health, registration of vital statistics, public assistance, and many similar if less important matters have entered the province of state control or supervision. To effect this control, new governmental units, subcounty districts of various types, have come into existence or have been converted to new purposes; the county, because of its intermediate position, has become more important as a medium of that control.

Thus the complete operation of county government in Illinois brings into play a number of partly distinct authorities. Their relationships, at any time, are complex. The changing governmental organization of De Witt County, therefore, is more easily traced from the viewpoint of the major functions of county government.

General Administration

General administrative jurisdiction over county business has always been vested in the county board. During the first constitutional period the county commissioners' court acted as the county board in all counties.² It was expressly declared to have no original or appellate jurisdiction in

1. R.L. 1827, p. 107; R.S. 1845, p. 130; R.S. 1874, p. 306.

2. Const. 1818, Schedule, sec. 4; L. 1819, p. 175, 176.

civil or criminal actions, but had all power necessary to the exercise of its jurisdiction in cases concerning the public affairs of the county collectively.¹ The commissioners were constitutional officers,² and elected;³ the court existed solely by statutory provision.⁴ Attached to it in a ministerial capacity was the independent statutory office of clerk of the county commissioners' court,⁵ at first filled at the appointment of the court,⁶ later by election.⁷

Under the second constitution, the newly created county court succeeded to the position of the county commissioners' court.⁸ As an administrative body,⁹ it was composed of the county judge, an elected constitutional officer,¹⁰ and two justices of the peace, elected at large.¹¹ Another new office, that of clerk of the county court, was created to provide it with a ministerial officer; the clerk also was elected.¹²

The Constitution of 1848 also made provision, for the first time for an optional form of county government.¹³ The subsequent enabling acts,¹⁴ provided that whenever the voters of a county might so determine, that county should adopt township organization; one of the principal results of such a change was to alter the form of the county board.¹⁵ De Witt County so elected in 1858, and in 1859 the county court was succeeded by a board of supervisors, composed of members elected, one in each of the several townships.¹⁶ The clerk of the county court was required by law to act as the ministerial officer of the new county board.¹⁷ In

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1. L. 1819, p. 176.
 2. Const. 1818, Schedule, sec. 4.
 3. L. 1819, p. 99; L. 1821, p. 80; L. 1837, p. 103,104.
 4. L. 1819, p. 175.
 5. Ibid.
 6. Ibid.
 7. L. 1837, p. 49; L. 1845, p. 28.
 8. Const. 1848, Art. V, sec. 19; L. 1849, p. 65.
 9. The county court was also a court of law. For its jurisdiction as such, see Administration of Justice, Courts, p. 91.
 10. Const. 1848, Art. V, sec. 17.
 11. Ibid., sec. 19; L. 1849, p. 65,66.
 12. Const. 1848, Art. V, sec. 19; L. 1849, p. 63.
 13. Art. VII, sec. 6.
 14. The original enabling act of 1849 (L. 1849, p. 190-224) was repealed two years later by a more comprehensive but essentially similar law (L. 1851, p. 35-78).
 15. Other effects of the change, within the sphere of county government proper, appear with regard to the taxation procedure. See Finances, p. 88.
 16. Const. 1848, Art. VII, sec. 6; L. 1851, p. 38,50-52; Const. 1870, Art. X, sec. 5.
 17. L. 1849, p. 203; L. 1851, p. 52.

1872, however, that clerk was replaced by a new officer, the county clerk, whose office had been created and made elective, by the third constitution,¹ and who was required by law to act as ministerial officer for the county board.² Another significant change in the form of the county board has been the addition to its membership of assistant supervisors, elected from the various towns on the basis of population;³ the assistant supervisors have no powers or duties as town officers, but are members of the county board and as such enjoy the same powers and rights as other members.⁴

The Constitution of 1870 provided a new form of county board in counties not under township organization. This board was to be composed of three officers, styled commissioners, who would transact all county business as provided by law.⁵ Subsequent legislation granted to the board of county commissioners all powers and duties formerly exercised by the county court when acting in its administrative capacity.⁶ These laws were ineffective in De Witt inasmuch as this county has retained township organization since its institution in 1859.

Concurrent with the changing organization of the county board is an expansion of its functions without, however, considerable extension beyond the original jurisdiction conferred upon the county commissioners' court. The authority of that body extended to the imposition and regulation of taxes,⁷ a limited but increasing management of county property,⁸ and a growing fiscal control, stringent in regard to tax collections,⁹ sporadic in its check on the expenditures of other county offices.¹⁰ The court additionally had power to appoint judges of election,¹¹ select juries,¹² and, within limitations, to provide for the construction and maintenance of road and bridges.¹³ Poor relief¹⁴ and a tentative supervision of education¹⁵ also fell within its general administrative jurisdiction.

1. Const. 1870, Art. X, sec. 8.

2. R.S. 1874, p. 322.

3. Ibid., p. 1080; L. 1925, p. 605; L. 1929, p. 774; L. 1931, p. 905-10; L. 1933, p. 1115, 1116.

4. R.S. 1874, p. 1080.

5. Const. 1870, Art. X, sec. 6.

6. L. 1873-74, p. 79.

7. L. 1819, p. 175.

8. Ibid., p. 237, 238; L. 1842-43, p. 128.

9. L. 1819, p. 238, 318; L. 1823, p. 208; R.L. 1827, p. 373, 375; R.L. 1829, p. 121; L. 1842-43, p. 112; L. 1845, p. 11, 12.

10. R.L. 1827, p. 366; L. 1831, p. 175.

11. L. 1819, p. 90.

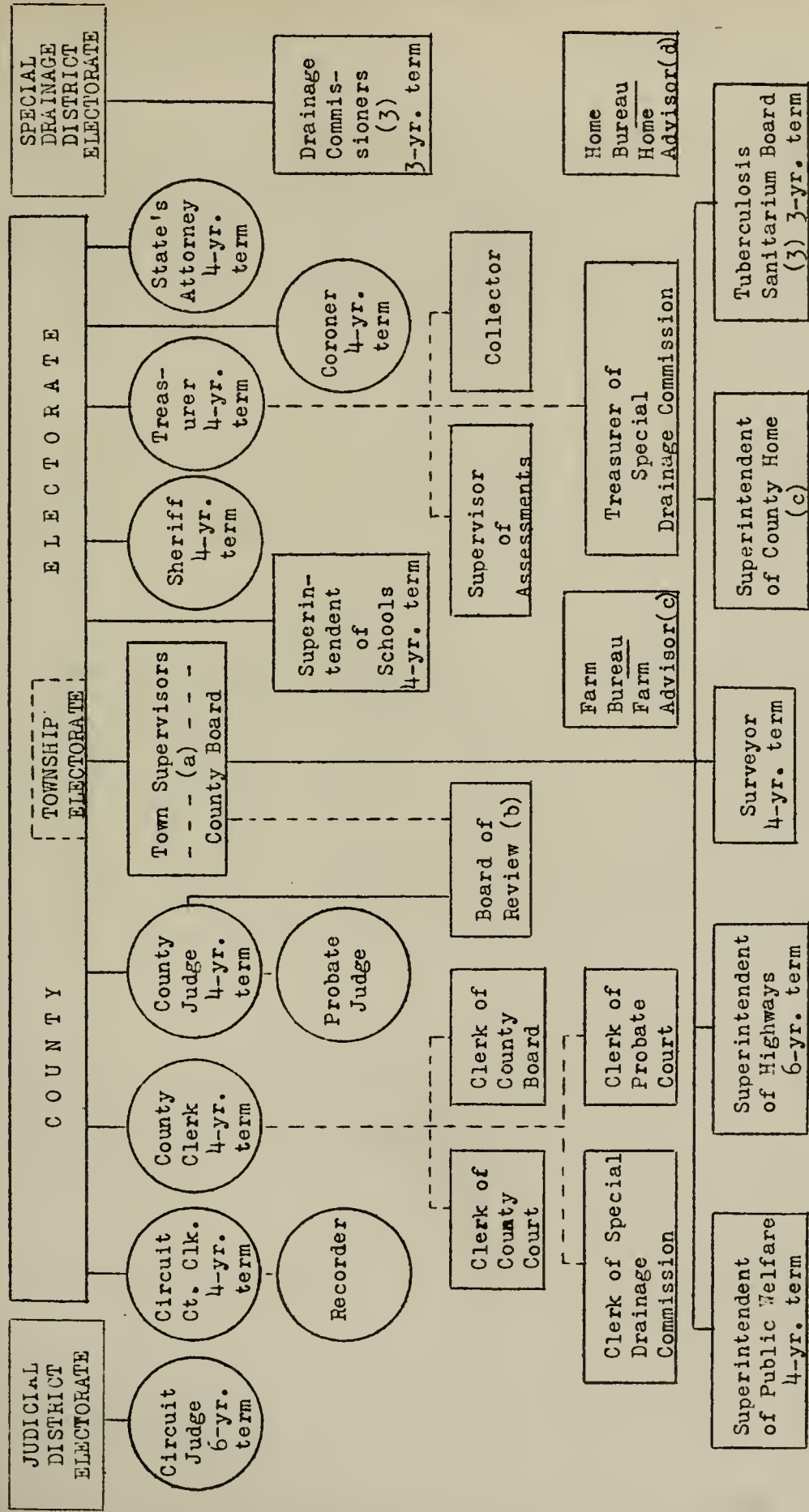
12. Ibid., p. 255; L. 1823, p. 182.

13. Either by calling on the able-bodied men of the county for labor, or by raising bond issues by subscription (L. 1819, p. 333, 334, 336, 337, 343; L. 1821, p. 167; L. 1825, p. 130-33).

14. L. 1819, p. 127; L. 1839, p. 138, 139.

15. R.S. 1845, p. 500, 501.

GOVERNMENTAL ORGANIZATION OF DE WITT COUNTY, 1941



- (a) County board composed of town supervisors, elected one in each township, plus assistant supervisors, elected on basis of town population.
- (b) Composed of two appointees of county judge and chairman of county board, acting, ex officio, as chairman of board of review.
- (c) Serves until successor is appointed, see Farm Bureau, chapter XXI.
- (d) Serves until successor is appointed, see Home Bureau, chapter XXII.

L E G E N D



Constitutional office or body



Statutory office or body

----- Shows ex officio relationship

The effect of subsequent legislation, in the main, has only been to broaden that jurisdiction. The county board has been given full power to purchase, contract for, dispose of, and make regulations concerning all real and personal property of the county.¹ It is now required also to audit all claims against the county and the accounts of such officers as were not provided for by law.² Otherwise, the changes in form of the county board in De Witt County have not materially affected the general administrative jurisdiction of that body.³

Finances

In Illinois counties, there has always been a close relationship between the taxation processes and fiscal control. This circumstance, as well as frequent evidence of the county board's ultimate control in such matters, appears in a resume of the legal status and duties of the officers involved.

Taxation

The assessment function in taxation was delegated by the first General Assembly to the county treasurer, a statutory officer appointed by the county commissioners' court.⁴ The administrative body, within statutory limits, fixed the amount of the levy, while the value of many categories of real and personal property was fixed by law; however, a limited discretion was left to the assessing officer.⁵ In 1825 assessments were made by the county assessor, also an appointee of the county commissioners' court.⁶ This duty reverted to the county treasurer in 1827⁷ and continued to be vested in that office until 1839, when the General Assembly provided for the appointment by the county commissioners' court of district assessors, not to exceed one in every justice's district.⁸ The earlier system was reestablished in 1844, with the treasurer, however, now having the status,

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1. L. 1849, p. 202; L. 1851, p. 50,51; L. 1861, p. 235,236; R.S. 1874, p. 306,307; L. 1911, p. 245,246; L. 1923, p. 304,305; L. 1937, p. 453,454.
 2. L. 1849, p. 202; L. 1851, p. 51; R.S. 1874, p. 307; L. 1923, p. 299.
 3. Cf. this running summary with R.S. 1874, p. 306,307, and Ill. Rev. Stat. 1939, p. 942-45.
 4. L. 1819, p. 315.
 5. Ibid., p. 313,319; L. 1825, p. 173; L. 1839, p. 4-6; L. 1840, p. 4; L. 1845, p. 6.
 6. L. 1825, p. 173.
 7. R.L. 1827, p. 330.
 8. 1839, p. 4.

Governmental Organization
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ex officio, of county assessor.¹ Since 1859, the date of institution of township organization in De Witt County, the assessment function has been performed on the lower governmental level by town assessors, elected one in each township.² Today, the principal duties of the assessing officers, taken together, are to bring up to date each year the periodic assessment of real property, to take current lists of, and appraise personal property and special categories of other property.³ The treasurer now has the status, ex officio, of supervisor of assessments.⁴

Before the creation of a board of review, the functions which today fall within its scope were performed, in substance, by various officers. In the first constitutional period, it was left to interested individuals or parties to report property omitted from assessment; the county commissioners' court could hear appeals from assessments, but there was no provision for their equalization by districts.⁵ In 1849 it was provided that appeals were to be made to the county court.⁶ After the institution of township organization in 1859, town boards were empowered to review the assessments within their own jurisdiction, and the county board was required to meet annually to assess omitted property, review assessments upon complaint, and equalize valuations between towns.⁷ In 1898 this authority of the county board was transferred to the newly created board of review, composed of the chairman of the county board as chairman, ex officio, the county clerk as clerk, ex officio, and an additional member appointed by the county judge.⁸ In 1923 the county clerk was replaced by another member appointed by the county judge;⁹ the board of review now appoints its own clerk.¹⁰

The collection function was originally performed in all counties by the sheriff, an elected constitutional officer.¹¹ Its nature has changed little since that time. Essentially, the collecting officer collects taxes according to information originating outside his jurisdiction, pays over such sums to authorities designated by statute to receive them, and reports

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1. L. 1843, p. 231. Effective in 1844.
 2. L. 1849, p. 192; L. 1851, p. 38; L. 1871-72, p. 20-24.
 3. L. 1853, p. 16,17; L. 1871-72, p. 11,14,15,19,23; L. 1873, p. 51; L. 1879, p. 241-45; L. 1861, p. 133,134; L. 1885, p. 254; L. 1895, p. 300,301; L. 1905, p. 360; L. 1915, p. 568; L. 1923, p. 495,500; L. 1931-32, First Sp. Sess., p. 69.
 4. L. 1898, p. 36-44.
 5. L. 1819, p. 316; R.L. 1827, p. 350; L. 1839, p. 7; L. 1845, p. 8.
 6. L. 1849, p. 65.
 7. L. 1851, p. 56,57; L. 1871-72, p. 21,22,24,25.
 8. L. 1898, p. 46.
 9. L. 1923, p. 496; L. 1932, First Sp. Sess., p. 71,72.
 10. L. 1923, p. 496,497.
 11. Const. 1818, Art. III, sec. 11; L. 1819, p. 316.

on payments of taxes and delinquencies.¹ In 1839, by a development analogous to that which occurred with regard to assessments, the county board's control was extended to enable it to appoint a regular county collector.² Soon after, the law reverted to the earlier situation, with the sheriff acting as collector ex officio.³ This situation continued until the institution of township organization when town collectors were elected, one in each township,⁴ and the county treasurer became county collector ex officio.⁵ The town officers paid over their collections directly to the county officer, and supplied the basic information for the latter's summary report of collections in the county.⁶ In 1917 the office of town collector was abolished in counties the size of De Witt, and the county collector became town collector, ex officio, assuming all duties previously assigned to the latter officer.⁷

Coordination of the taxation processes has always been effected by the county clerk or his predecessors. The assessment books are made out by the clerk, and returned to him by the assessor; similarly, the collector reports on collections on delinquent property; finally, the treasurer's receipts to the collector for taxes paid come into his possession, and the centralization of records concerning the basic taxation procedure is completed.⁸

Fiscal Control

The fiduciary function in county finances is performed by the county treasurer alone. The duties of the office have remained substantially the same since its creation; namely, to receive, principally from the collectors of taxes, the revenue of the county; to have custody of its funds; and to disburse funds only on specific authorization by law, or in accordance with the order of the county board.⁹ Through this last requirement, and that of

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1. L. 1819, p. 316-18; L. 1821, p. 182, 183; R.L. 1827, p. 332, 333; R.L. 1829, p. 121-23; L. 1831, p. 125; L. 1837, p. 194, 195; L. 1839, p. 7-12; L. 1843, p. 234; L. 1845, p. 11; L. 1847, p. 81; L. 1871-72, p. 55, 57, 58.
 2. L. 1838-39, p. 7.
 3. L. 1843, p. 234.
 4. L. 1849, p. 192; L. 1851, p. 38. De Witt county electorato adopted township organization in 1858, but the change did not become effective until 1859.
 5. L. 1853, p. 67.
 6. L. 1871-72, p. 41, 56, 57.
 7. L. 1917, p. 793.
 8. L. 1819, p. 317; R.L. 1827, p. 373; L. 1837, p. 194, 195; L. 1839, p. 8-12; L. 1840, p. 3; L. 1845, p. 9, 11; L. 1853, p. 71, 111; L. 1871-72, p. 32, 34, 35, 46, 56-58; L. 1873-74, p. 51; L. 1911, p. 485; L. 1917, p. 654; L. 1919, p. 765; L. 1931, p. 747.
 9. L. 1819, p. 315, 316; R.S. 1845, p. 138; L. 1861, p. 239; R.S. 1874, p. 323, 324.

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the treasurer to report periodically to the board on the transactions of his office, in addition to his regular settlement with it, the lines of financial authority once more lead to the county board.¹

Administration of Justice

Courts

Justice, in Illinois counties, has been administered by a constantly increasing number of bodies. The Constitution of 1818 vested the judicial powers of the state in a Supreme Court and such inferior courts as the General Assembly should ordain and establish; required the Supreme Court justices to hold circuit courts in the several counties; and provided for the appointment, in such manner and with such powers and duties as the General Assembly should direct, of a competent number of justices of the peace in each county.²

Federal statutes already allowed circuit courts in all states jurisdiction over the naturalization of aliens;³ the first state legislature additionally conferred jurisdiction over all causes at common law and chancery and over all cases of treason, felony, and other crimes and misdemeanors.⁴ The legislature further required that two terms of a circuit court be held in each county annually by one of the Supreme Court justices,⁵ but in 1824 provision was made for the holding of circuit courts by separate circuit court judges, to be appointed, as were the Supreme Court justices, by both branches of the General Assembly, and to hold office during good behavior.⁶ In 1827 the General Assembly repealed the 1824 law, and again provided for circuit courts to be held by Supreme Court justices.⁷ At the next session of the legislature, when a new circuit was established, provision was made for the appointment of a circuit judge to act therein.⁸ At that time, therefore, the circuit courts were held by Supreme Court justices in four judicial

1. L. 1819, p. 318; L. 1837, Sp. Sess., p. 59,60; L. 1845, p. 33; R.S. 1845, p. 138,139; L. 1861, p. 239,240; R.S. 1874, p. 323,324.

2. Art. IV, sec. 1,4,8.

3. 2 U.S. Stat. 153-55.

4. L. 1819, p. 380.

5. Ibid., p. 378.

6. L. 1824, p. 41. The Constitution of 1818, which had required that Supreme Court justices be appointed by the General Assembly, further provided that they should not, after the first session of the legislature subsequent to January 1, 1824, hold circuit courts unless required to do so by law (Art. IV, sec. 4).

7. R.L. 1827, p. 118,119.

8. R.L. 1829, p. 38.

circuits and by a circuit judge in the fifth.¹ A change was made again in 1835, when power to hold circuit courts was taken away from the Supreme Court justices and provision was made for the appointment of five circuit judges, in addition to the one already authorized, to hold circuit courts.² The six judicial circuits existing at that time were supplemented during the next few years by the creation of new circuits,³ so that they numbered nine in 1841 when the office of circuit judge was again abolished and the Supreme Court justices, also increased to nine, were required to hold circuit courts.⁴ Then in 1849 another change was made in accordance with the second constitution which provided for the election of circuit judges by the judicial district electorate.⁵ This system has continued from that date until the present.⁶

The authority of justices of the peace was limited by law to jurisdiction in specified civil cases and in misdemeanors, with appeals allowed from their judgments to the circuit court.⁷ The power of appointment, the legislature at first reserved to itself;⁸ in 1827, however, justices of the peace were required to be elected, two in each of such districts as should be determined within statutory limits by the county commissioners' court.⁹

Jurisdiction over probate matters was at the outset delegated to the county commissioners' court.¹⁰ By act of the next General Assembly, it was transferred to the court of probate,¹¹ consisting in each county of one judge appointed by the General Assembly.¹² As a result of the substitution in 1837 of probate justices of the peace for the judges of probate,¹³ jurisdiction over probate matters for the first time was placed in the hands of elected officers.¹⁴

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1. R.L. 1829, p. 42, 48.
 2. L. 1835, p. 150.
 3. L. 1837, p. 113; L. 1838-39, p. 155.
 4. L. 1841, p. 173.
 5. Const. 1848, Art. V, sec. 7, 15.
 6. Const. 1870, Art. VI, sec. 13.
 7. L. 1819, p. 185, 192, 195.
 8. Ibid., p. 22.
 9. R.L. 1827, p. 255, 256. Since 1821, however, the county commissioners' court had been required to establish such districts, which also constituted general election precincts (L. 1821, p. 74). For changes in the statutory limitations of this power of the court, see R.L. 1827, p. 255, and R.L. 1829, p. 93.
 10. L. 1819, p. 223-33.
 11. L. 1821, p. 121.
 12. Ibid., p. 119. The Constitution of 1818 (Art. IV, sec. 4) had also designated this manner of election for judges of all inferior courts.
 13. L. 1837, p. 176, 177.
 14. The Constitution of 1818 (Art. IV, sec. 8) had reserved to the General Assembly the right to prescribe the manner of appointment of justices of the peace.

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The county court was the creation of the second constitution,¹ which also made circuit judges elected officers.² With regard to the new court, it was further provided by law that it should be held in each county by a single elected officer, the county judge.³ Its authority was extended to jurisdiction in all probate matters, and to such jurisdiction in civil and criminal cases as might be conferred by the General Assembly.⁴ In pursuance of this latter provision, the county court was first given the same civil and criminal jurisdiction as justices of the peace;⁵ at the next session of the General Assembly, however, it was declared that county judges when exercising this jurisdiction, acted only in the capacity of justices of the peace.⁶ Until the next constitutional period, the county court, as such, was given jurisdiction only in a limited number of special actions;⁷ it was however, considered entitled to equal jurisdiction with the circuit court over naturalization.⁸ In this same period, provision was made for increasing, on the basis of population, the number of justices of the peace to be elected in each district. In De Witt County, and others similarly organized, one additional justice of the peace is now elected for every one thousand inhabitants exceeding two thousand inhabitants in each town.⁹

Provision was first made by the Constitution of 1870 for the establishment by the General Assembly of an independent probate court in each county having a population of more than fifty thousand inhabitants.¹⁰ As first established by statute, the new courts were to be formed in counties of one hundred thousand or more inhabitants.¹¹ This population requirement was lowered to seventy thousand in 1881.¹² The population of De Witt County not having reached this figure, jurisdiction over probate matters has con-

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1. Const. 1848, Art. V, sec. 1,16.
 2. Ibid., sec. 7,15.
 3. Ibid., sec. 17.
 4. Ibid., sec. 18.
 5. L. 1849, p. 65.
 6. Ibid., Second Sess., p. 15.
 7. L. 1849, p. 65,66; L. 1853, p. 103; L. 1861, p. 171,172.
 8. 2 U.S. Stat. 155.
 9. L. 1854, p. 30. No more than five justices, however, may be elected from any town or election precinct.
 10. Art. VI, sec. 20.
 11. L. 1877, p. 79,80.
 12. L. 1881, p. 72. In 1933, the act of 1877 was further amended to make the establishment of an independent probate court mandatory in counties having a population of 85,000 or more, and optional in counties having a population of between 70,000 and 85,000 (L. 1933, p. 458).

tinued to be vested in the county court in accordance with constitutional provision to that effect.¹ The county court, early in this period, was given concurrent jurisdiction with the circuit court in appeals from justices of the peace;² its original jurisdiction was extended to be equal with that of the circuit court in all that class of cases cognizable by justices of the peace³ and involving in controversy sums not exceeding \$500.⁴ In 1906, however, it lost its naturalization jurisdiction since it failed to meet the additional requirement of Federal legislation that it possess jurisdiction at law without limitation upon amounts in controversy.⁵ The present constitution, also, for the first time, directed the manner in which the General Assembly should establish judicial circuits, requiring that circuits be formed of contiguous counties and that they should not exceed in number one circuit for every one hundred thousand of population of the state.⁶ At present there are eighteen circuits in Illinois, and De Witt County is attached to the sixth circuit.⁷

Clerks of Courts

The clerk of the circuit court, under the Constitution of 1818, was to be appointed by a majority of the justices of that court.⁸ Since 1849, however, by provisions of the constitutions of 1848 and 1870, the office has been filled by election.⁹ The office of clerk of the county court, which was an independent elective office under the second constitution,¹⁰ is now filled in an ex officio capacity by the county clerk¹¹ who is also required by constitutional provision to be elected.¹² The county commissioners' court, which for a brief period held jurisdiction over probate matters, had its own clerk who was at that time appointed by the court.¹³ Probate judges and justices of the peace who subsequently held probate jurisdiction, were required to act as their own clerks.¹⁴ With the transfer of probate jurisdiction to the county court, the clerk of the county

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1. Const. 1870, Art. VI, sec. 18; L. 1877, p. 80; L. 1881, p. 72.
 2. R.S. 1874, p. 340; L. 1877, p. 77; L. 1895, p. 212, 223.
 3. The jurisdiction of justices has also been progressively increased during this period. See L. 1871-72, p. 524; L. 1895, p. 189, 190; L. 1917, p. 562, 563; L. 1929, p. 541, 542.
 4. L. 1871-72, p. 325.
 5. 34 U.S. Stat. 596.
 6. Const. 1870, Art. VI, sec. 13.
 7. L. 1933, p. 436.
 8. Art. IV, sec. 6.
 9. Const. 1848, Art. V, sec. 21, 29; Const. of 1870, Art. X, sec. 8.
 10. Const. 1848, Art. V, sec. 19.
 11. R.S. 1874, p. 260.
 12. Const. 1870, Art. X, sec. 8.
 13. L. 1819, p. 175.
 14. L. 1821, p. 119, 120; L. 1837, p. 177, 178.

court was required to keep, separately, records of probate proceedings and business.¹ In De Witt County where the county court retains probate jurisdiction, the county clerk serves it in these matters in his capacity as clerk, ex officio, of the county court.² Justices of the peace have always been required to keep their records in person.³

Ministerial Officers

The principal ministerial officer of all courts of record in Illinois counties is the sheriff. The first constitution provided that the sheriff should be elected.⁴ Later, in 1827, statutory provision was made for the appointment of deputies by the principal officer;⁵ since 1870, the number of deputies that the sheriff may appoint is determined by rule of the circuit court.⁶ The ministerial duties of the sheriff have undergone little change in more than one hundred years. Essentially he is to attend, in person or by deputy, all courts of record in the county, obeying the orders and directions of the court, and to serve, execute, and return all writs, warrants, process, orders, and decrees legally directed to him.⁷

The coroner was originally given equal power with the sheriff as a ministerial officer of the courts.⁸ He was also required to serve all process in any suit in which the sheriff was an interested party⁹ and to perform all the duties of the sheriff when that office was vacant.¹⁰ The last two functions are still incumbent upon the coroner.¹¹

Justices of the peace are served similarly in a ministerial capacity by constables. Not until 1870 was the office of constable given constitutional recognition;¹² at its creation by the first General Assembly, the county commissioners' court was empowered to appoint one or more constables

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1. L. 1849, p. 66.
 2. R.S. 1874, p. 260.
 3. L. 1819, p. 185-97 (no specified record-keeping requirement listed among general duties of justices), 326 (establishing fees to be paid justices for keeping records); R.L. 1827, p. 260 (becomes definite provision for justices to keep own records); L. 1895, p. 221,222.
 4. Const. 1818, Art. III, sec. 11.
 5. R.L. 1827, p. 373.
 6. Const. 1870, Art. X, sec. 9.
 7. L. 1819, p. 111; R.S. 1874, p. 990,991.
 8. L. 1819, p. 111.
 9. L. 1821, p. 20-33.
 10. R.L. 1827, p. 372,373.
 11. R.S. 1874, p. 282. Despite the absence from the present law of statutory provision for the coroner to serve process originally directed to him (R.S. 1874, p. 281,282), the courts have held that he may so do, an emergency being presumed to exist without need for the process to recite reason for its issuance to the coroner (20 Ill. 185; 57 ILL. 268).
 12. Const. 1870, Art. VI, sec. 21.

in each township;¹ in 1827 it was provided that two constables should be elected in each justice of the peace district.² Since that date, subsequent legislation has grouped justices of the peace and constables in all provisions regarding their election.³ Constables, like sheriffs and coroners, have always been required to serve and execute all process legally directed to them;⁴ process issuing from a justice of the peace court, however, may be directed only to some constable of the same county.⁵

Prosecutions

The duty of the present state's attorney to prosecute and defend all actions, civil or criminal, involving the county, the people, or officers of the state or county,⁶ was incumbent originally upon the circuit attorney.⁷ In 1827 this officer was replaced by the state's attorney.⁸ Also in effect from an early date is the officer's other major duty, apart from the enforcement of law,⁹ of giving opinions on any questions of law relating to criminal or other matters in which the people of the county may be concerned.¹⁰

The offices of circuit attorney and early state's attorney, which existed solely by statutory provision,¹¹ were appointive by the Governor until 1835,¹² and thereafter by the General Assembly.¹³ The second constitution provided for an elected state's attorney;¹⁴ since each judicial circuit was an elective district for this purpose, the territorial jurisdiction of the new officer remained the same as that of the former officer.¹⁵ Not until the adoption of the present constitution was provision

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1. L. 1819, p. 162.
 2. R.L. 1827, p. 258.
 3. See Courts, p. 91.
 4. L. 1819, p. 162,163; R.S. 1874, p. 400.
 5. L. 1819, p. 186; R.S. 1845, p. 317; L. 1871-72, p. 525; L. 1895, p. 191, 193; L. 1937, p. 900. Similarly, process issuing from courts of record is required to be directed to the sheriff or, under certain conditions noted (footnotes 8, 9 and 10, p. 95), to the coroner (R.S. 1845, p. 413; L. 1871-72, p. 338; L. 1907, p. 444,445; L. 1933, p. 786; L. 1937, p. 989).
 6. R.S. 1874, p. 173,174.
 7. L. 1819, p. 204; L. 1825, p. 178,179.
 8. R.L. 1827, p. 79,80.
 9. See Enforcement of Law, p. 97.
 10. R.S. 1845, p. 76; R.S. 1874, p. 174.
 11. L. 1819, p. 204-6.
 12. Ibid., p. 204.
 13. L. 1835, p. 44.
 14. Const. 1848, Art. V, sec. 21. The new title, however, had already come into occasional use in the interim (R.L. 1827, p. 79,80; L. 1835, p. 44; L. 1847, p. 18,19).
 15. Const. 1848, Art. V, sec. 28.

made for the election of a separate state's attorney in each county.¹

Inquests

The holding of inquests, one of the duties of the coroner in Illinois counties, is also a part of the administration of justice. The office of coroner was created by the first constitution and required to be filled by election;² the statutory provisions concerning the inquest function have not changed substantially since their enactment by the second General Assembly.³ The coroner, when informed of the body of any person being found dead, supposedly by violence, casualty, or undue means, is required to summon a jury to inquire how, in what manner, and by whom or what, death was caused; testimony of witnesses is taken; witnesses whose evidence implicates any person as the unlawful slayer of the deceased are bound over to the circuit court; the verdict of the jury is returned to the clerk of that court.⁴

The verdict of the coroner's jury, however, is not generally admissible in evidence;⁵ additionally, it is not held to be prima facie proof of matters stated therein with regard to the cause and manner of death;⁶ its essential nature, therefore, is that of a finding of facts upon the basis of which the coroner may be led to discharge his collateral duty to apprehend and commit to jail any person implicated by the inquest as the unlawful slayer of the deceased.⁷ To this extent, the coroner's inquest duties overlap his function as an officer for the enforcement of law.

Enforcement of Law

Sheriffs, coroners, and constables have always been charged equally with keeping the peace and apprehending all offenders against the law.⁸ The state's attorney's powers as an officer for the enforcement of law originally derived by implication from another duty:⁹ the gathering of evidence and the apprehension of offenders is necessarily involved in

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1. Const. 1870, Art. VI, sec. 22.
 2. Const. 1818, Art. III, sec. 11.
 3. Cf. L. 1821, p. 22-24; R.S. 1845, p. 517,518; R.S. 1874, p. 282-84; Ill. Rev. Stat. 1939, p. 820-23.
 4. L. 1821, p. 24,25; R.S. 1845, p. 518; R.S. 1874, p. 284; L. 1879, p. 82; L. 1907, p. 213; L. 1919, p. 403,404; L. 1931, p. 388,389.
 5. 46 N.W. 872. It is, however, held to be proper practice to offer, in cross-examining witnesses sought to be impeached, excerpts from transcripts of testimony taken at the inquest (189 Ill. App. 556; 211 Ill. App. 474).
 6. 201 Ill. App. 287.
 7. L. 1821, p. 25; R.S. 1845, p. 518; R.S. 1874, p. 283,284.
 8. L. 1819, p. 111,162,163; R.S. 1845, p. 515; R.S. 1874, p. 400.
 9. See Prosecutions, p. 96.

commencing and prosecuting actions in which the people of the state or county are concerned.¹ In relatively recent years, however, the state's attorney has been given more specific statutory powers to enforce laws and to investigate violations and secure necessary evidence thereof.² But at any time the effective spheres of authority of law enforcement officers have been determined less by statutory provisions than by local conditions and individual circumstances.

Elections

Elections were originally under control of the county commissioners' court.³ It appointed three judges of election for each precinct, which at first consisted of an entire township.⁴

When the Constitution of 1848 was adopted, the control of election officials remained in the county commissioners' court until the entire jurisdiction of that court was vested in the new administrative county court.⁵ Little change was made during this constitutional period; the judges of election continued to be appointed by the county court or board doing county business, and the clerks to be appointed by the judges. Even the event of registration⁶ and the new Constitution of 1870 brought but slight alteration in the main election procedure; county boards, whether made up of town supervisors or county commissioners, still appointed the judges of election. However, in counties under township organization, these judges now had to be the town supervisor, assessor, and collector in the election district in which they resided.⁷ The judges continued to appoint the clerks.⁸ The election board also became the board of registry.⁹ Three judges of election and two clerks had been the rule, but in 1885 the number of clerks was increased to three.¹⁰ By an amendment to the 1872 act in regard to elections,¹¹ only the town supervisor in counties so organized was required to be one of the judges of election in the district

1. L. 1819, p. 204; R.S. 1845, p. 76.

2. L. 1885, p. 3; L. 1907, p. 268; L. 1913, p. 395; L. 1915, p. 368; L. 1927, p. 33.

3. L. 1819, p. 90; R.L. 1829, p. 55.

4. L. 1819, p. 90, 91.

5. L. 1849, p. 65.

6. L. 1865, p. 54.

7. L. 1871-72, p. 385.

8. Ibid.

9. L. 1873-74, p. 96.

10. L. 1885, p. 195.

11. L. 1872, p. 380.

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or precinct in which he resided.¹ The county board continued to appoint judges of election if they were not elected or appointed by election commissioners.²

When a city, village, or incorporated town adopted the city election law,³ a marked change in procedure took place. This change called for the appointment by the county court of the county in which the city, village, or incorporated town was located, of a board of election commissioners, composed of three members.⁴ Names of proposed precinct election board members, both judges and clerks, were to be submitted by the board of election commissioners to the county court for appointment and approval,⁵ and upon approval they, like the commissioners, became officers of that court and liable in a proceeding for contempt for any misbehavior in their office.⁶

In 1819, voting was by ballot, either printed (but not at public expense) or written.⁷ Then in 1821, oral voting was introduced⁸ only to be soon replaced by a combination of the two methods in which the elector prepared his ballot, handed it to a judge of election and the judge read aloud the names of the persons voted for and the clerks recorded the vote.⁹ Constitutional recognition of voting by ballot was given in 1848.¹⁰ The Constitution of 1870 provided for cumulative voting so as to enable minorities to have representation in the General Assembly.¹¹ The next great change was the introduction of the secret or Australian ballot, still in use today, and the printing and distribution of all ballots at public expense.¹² Voting machines were authorized in 1903.¹³ Challengers and watchers for the various candidates, were first permitted in 1927.¹⁴

Registry of voters to prevent fraudulent voting was first required in 1865¹⁵ and absentee voting was also allowed to enable those in military service of the United States to vote by giving a power of attorney to a

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1. L. 1903, p. 173.
 2. L. 1905, p. 202; L. 1935-36, Fourth Sp. Sess., p. 28.
 3. L. 1885, p. 142.
 4. L. 1885, p. 147; L. 1899, p. 163.
 5. L. 1885, p. 150, 151; L. 1899, p. 167.
 6. L. 1885, p. 151; L. 1899, p. 107.
 7. L. 1819, p. 93.
 8. L. 1821, p. 73.
 9. R.L. 1829, p. 57; R.S. 1845, p. 217.
 10. Const. 1848, Art. VI, sec. 2.
 11. Art. IV, sec. 7, 8.
 12. L. 1891, p. 103.
 13. L. 1903, p. 178.
 14. L. 1927, p. 443.
 15. L. 1865, p. 54.

resident elector to cast the vote for the absentee.¹ During the World War this was changed so that ballots were sent to the army officers, and soldiers, having chosen their election board, voted wherever they happened to be, but not less than five or more than twenty days prior to the general election day.² Absentee registration, however, did not come until 1927.³ Permanent registration came nine years later,⁴ and was intended to make the elector's registration permanent until his death or change of residence or change of name.⁵ Registration is under the control of the county board, county clerk, and county court⁶ except in cities, villages, and incorporated towns which have adopted the election act.⁷ In these cities, villages, and incorporated towns, registration is under the direction of a board of election commissioners as well as the county court.⁸

Women were first allowed to vote in elections for school officials;⁹ twenty-two years later, in 1913, their voting power was enlarged to include elections for: presidential electors, members of the State Board of Equalization, clerk of the appellate court, county collector, county surveyor, members of the board of assessors, members of the board of review, sanitary district trustee, and all officers of cities and towns (except police magistrates) and on all questions and propositions submitted to a vote of the electors of such municipalities or other political divisions of this state. This franchise also extended to the following township officers: supervisor, town clerk, assessor, collector, and highway commissioner, and an active participation in all town meetings.¹⁰ They had to meet the same requirements as men for age, residence, and registration.¹¹ General suffrage was granted to women in 1921¹² in accordance with the Nineteenth Amendment to the Federal Constitution, which became effective on August 26, 1920.

Education

The act of Congress providing for the creation and admission of the State of Illinois to the Union set aside section sixteen of every town-

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1. L. 1865, p. 60.
 2. L. 1917, p. 441.
 3. L. 1927, p. 443.
 4. L. 1936, Fourth Sp. Sess., p. 50-53.
 5. Ibid.
 6. L. 1865, p. 54, 59; L. 1871-72, p. 385, 390, 391.
 7. L. 1885, p. 147; L. 1936, Fourth Sp. Sess., p. 50-53.
 8. Ibid.
 9. L. 1891, p. 135.
 10. L. 1913, p. 333.
 11. Ibid.
 12. L. 1921, p. 430.

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ship for the use of schools.¹ The first state legislation on the subject was concerned only with the establishment of school districts and the sale or leasing of school land to provide necessary funds, for which purposes three trustees of school lands were appointed in each township by the county commissioners' court.²

In 1825, however, with a common school system in operation, provision was made for its educational as well as financial administration. Three elected officers, known as township school trustees, were charged in each township with superintending schools, examining and employing teachers, leasing all land belonging to the district, and reporting annually to the county commissioners' court; this report, however, was limited to such matters as were concerned in the financial administration of the schools.³ In 1827 the county commissioners' court was again empowered to appoint trustees of school lands, but despite the use of the earlier, more limited title, these officers were charged with all the duties of the former township school trustees.⁴ The creation of office of county school commissioner in 1829 brought a new element into the complex situation. The commissioner was at first given limited duties with regard to the sale of school lands and the management of school funds;⁵ his subsequent gains in this respect at the expense of the township trustees foreshadowed the demarcation of spheres of authority that was made in 1847.⁶ In the interim, the school commissioner, who had first been appointed by the county commissioners' court,⁷ became an elected officer;⁸ in such townships as elected to incorporate for the purpose of organizing and supporting schools, township trustees also became elected officers and were then denominated trustees of schools.⁹

The situation created by the legislation of 1847 in certain respects has not since been substantially altered. In all counties, township trustees became, and are still, elected officers, styled township school trustees.¹⁰ The relative authority of the county school commissioner¹¹ and of

1. 3 U.S. Stat. 428.

2. L. 1819, p. 107,108.

3. L. 1825, p. 121,122.

4. R.L. 1827, p. 366-70.

5. R.L. 1829, p. 150-54.

6. Cf. L. 1831, p. 176; L. 1841, p. 275-79.

7. R.L. 1829, p. 150.

8. L. 1841, p. 261,262.

9. Ibid., p. 273,274. In unincorporated townships, trustees continued to be appointed by the county commissioners' court (ibid., p. 259,260).

10. L. 1847, p. 126; L. 1909, p. 350.

11. The subsequent substitution of an independent elected superintendent of schools for the school commissioner who had additionally been ex officio superintendent (see footnotes 3,4, and 5, p. 102), was only a change in the legal status of the officer of the county and had no further import.

officers of the township with regard to financial administration was fixed essentially as at present.¹ However, township trustees lost practically all their former duties with regard to matters purely educational as a result of a development that occurred in 1845.

It was at that time that the county first entered into the actual administration of education with the creation of the office of superintendent of schools.² Filled at first by the school commissioner in ex officio capacity,³ it quickly absorbed most of the functions of township trustees with regard to the advancement of education;⁴ later, the office came to be filled by election⁵ and completely absorbed that of school commissioner.⁶ In the new field of county administration of education, the superintendent's duties remained constant through his change in legal status, requiring him to visit all the townships in his county and inquire into the condition and manner of conducting their schools, to examine persons proposing to teach school, to grant certificates to persons qualified to teach in schools, and to report to the county board on all his acts relating to the management of school funds and lands.⁷ Subsequent legislation has enlarged the scope of this phase of the superintendent's functions, but it is in his role as an agent of state supervision that he has been charged with numerous duties of a new character.⁸

The authority of the state with regard to education, first manifested in 1845, has, like that of the county, been extended beyond its original bounds. Originally the county superintendent was required only to communicate to the State Superintendent of Common Schools⁹ information concerning the schools in his county.¹⁰ Today, as a consequence of the state's increasing intervention in matters of public health and safety, the county superintendent is required to inspect, with regard to specifications,

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1. L. 1847, p. 123,124,128,129; L. 1909, p. 351-54; L. 1927, p. 794,795.
 2. R.S. 1845, p. 498.
 3. Ibid.
 4. Ibid., p. 497-503. Cf. L. 1825, p. 121,122; R.L. 1827, p. 366-70; L. 1831, p. 173; L. 1841, p. 270,275,276,279. The only duty of this category that was left to township trustees in the laws of 1847 concerned the examination of prospective teachers and the issuance of certificates where merited (L. 1847, p. 130).
 5. L. 1865, p. 112.
 6. Ibid., p. 112,113.
 7. R.S. 1845, p. 498-501. Cf. L. 1847, p. 121-25; L. 1857, p. 261-65, 278,279,296,297; L. 1861, p. 190,191; L. 1865, p. 114,119-21.
 8. L. 1909, p. 347-50; L. 1915, p. 636-38.
 9. The Secretary of State in an ex officio capacity (L. 1845, p. 52). In 1854 the office became independent, filled by election, and known as that of Superintendent of Public Instruction (L. 1854, p. 13), which is its present status (L. 1909, p. 343).
 10. L. 1845, p. 54.

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plans submitted to him for the heating, ventilation, lighting, etc., of public school rooms and buildings; to visit and notice such public school buildings which appear to him to be unsafe, insanitary, or otherwise unfit for occupancy; and to request the State Department of Public Health,¹ the state fire marshal, or the state architect to inspect such buildings and issue reports upon which condemnation proceedings can be based.²

Recordation

For the function of making legal record of written instruments, the first General Assembly established the office of recorder.³ Originally appointed by the Governor,⁴ the recorder was required to be elected after 1835.⁵ The second constitution made the clerk of the circuit court⁶ the recorder, ex officio, in all counties;⁷ the present constitution continued the earlier provision in counties of under sixty thousand population and provided for the election of a recorder in counties of that population or more.⁸ As De Witt has not met the population requirement the clerk of the circuit court has continued to fulfill the duties of recorder.

The basic duty of the recorder, to record at length and in the order of their receipt all instruments in writing, has remained essentially unchanged; however, legislation has been directed toward the extension of categories of instruments entitled to be recorded.⁹ Conveyances of title to land, a major category of such records, frequently involve another county officer, the surveyor. Established by the second General Assembly, the office of surveyor was at first filled by appointment by that body,¹⁰ later by election.¹¹ In 1936 the surveyor again became an appointed officer, with the power of appointment delegated to the county board.¹² His duty to perform all surveys he may be called on to make within his county has under-

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1. Prior to 1917, the rights, powers, and duties of this department were vested in the State Board of Health, abolished in that year (L. 1917, p. 4,17,27,28).
 2. L. 1915, p. 637-40.
 3. L. 1819, p. 18-20.
 4. Ibid., p. 19.
 5. L. 1835, p. 166.
 6. An elected officer; see Clerks of Courts, p. 94.
 7. Const. 1848, Art. V, sec. 19; L. 1849, p. 64.
 8. Const. 1870, Art. X, sec. 8; R.S. 1874, p. 833.
 9. L. 1819, p. 18-20; R.L. 1829, p. 117,118; R.L. 1833, p. 511; R.S. 1845, p. 305,431,432,606; L. 1851, p. 80; L. 1859, p. 124; L. 1869, p. 2; R.S. 1874, p. 833,834; L. 1921, p. 756,757; L. 1925, p. 520-22.
 10. L. 1821, p. 62.
 11. L. 1835, p. 166.
 12. L. 1933, p. 1104. Provision effective in 1936.

gone only minor change, but its importance has declined; the acts of any surveyor, properly acknowledged and certified, have equal standing before the law with those of the county surveyor; no maps or plats have any legal effect unless recorded by the recorder.¹

Public Works

Roads and Bridges

Public roads and bridges were first under the superintendence of the county commissioners' court which was authorized to locate new roads and alter or vacate existing roads.² The act providing for such superintendence empowered the commissioners to appoint freeholders in each township to act as supervisors, each appointment to be for a one-year period. New roads were to be opened by the county commissioners' court upon petition of residents of the county and a favorable report from the road viewers and surveyor. A few years later the county commissioners were authorized to divide the county into road districts and to appoint annually one supervisor to serve in each district.³ With a change in the county administrative body under the second constitution, the county court was granted supervision and control over public roads,⁴ but the care and superintendence of roads and bridges in counties electing the township form of government were granted to the commissioners of highways, elected annually in each town.⁵ The commissioners divided the town into road districts, and overseers of highways in each district were to repair the roads and carry out orders of the commissioners. In counties not electing township form, the original system of road districts and road supervisors was continued.⁶ The supervision, control, and maintenance of roads, highways, and bridges in De Witt County were vested in the county court and the road district supervisors from 1849 to 1859, when township organization was instituted in this county.⁷ In 1913 the State Highway Department was established, and provision was made for the appointment by the county board of a county superintendent of highways.⁸ The entire system was centralized by subjecting the county superintendent to the rules and regulations of the state highway commissioner and by requiring candidates

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1. R.L. 1829, p. 173; R.L. 1833, p. 511; L. 1845, p. 201; L. 1869, p. 241, 242; R.S. 1874, p. 1050, 1051; L. 1901, p. 307, 308; L. 1915, p. 575.
 2. L. 1819, p. 333.
 3. L. 1825, p. 130.
 4. L. 1849, p. 65; L. 1851, p. 179.
 5. L. 1849, p. 212.
 6. L. 1847, p. 111-13; L. 1849, p. 65, 212, 213; L. 1851, p. 64, 179.
 7. De Witt County adopted township organization in 1858, but the change did not become effective until 1859.
 8. L. 1913, p. 521-25, 537-46.

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for county superintendent to be approved by the state commissioner before appointment by the county board. The term of office of the county superintendent was set at six years, and his salary was to be fixed by the county board. A board of highway commissioners was set up in each township to superintend matters relating to roads and bridges. Although the county superintendent was to act on behalf of the county in regard to roads and bridges, and although he was subject to removal by the county board, he was regarded as a deputy of the state highway engineer, subject to his directions. This indicates the intention of the legislature to unify the entire state system of roads and bridges. In 1917 the Department of Public Works and Buildings assumed the rights, powers, and duties vested in the State Highway Department,¹ but the county organization has remained essentially the same since 1913.

Public Buildings

The county is given the power to hold, own, and convey real estate for county purposes.² This power is exercised by the county board which is charged with the care and custody of all the real and personal property owned by the county. Throughout the period of statehood it has been provided that a courthouse and jail be erected in each county,³ and that the sheriff of each county be charged with custody of such buildings.⁴ The county is further empowered to erect buildings for a county hospital, workhouse, tuberculosis sanitarium, and other county needs.⁵

The county superintendent of schools is charged with the inspection of plans and specifications for public school rooms and buildings and the approval of only those which comply with the specifications prepared by the State Superintendent of Public Instruction.⁶ He is also to request the Department of Public Health,⁷ the state fire marshal, or the state architect to inspect public school buildings which appear to be unsafe, unsanitary, or unfit for occupancy. Upon receipt of an unfavorable report from these officials, the county superintendent is to condemn the building and notify the board of directors or board of education, and the board of school trustees.

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1. L. 1913, p. 524, 525, 538, 542-44; L. 1917, p. 24; L. 1921, p. 780-86; L. 1933, p. 961.
 2. R.S. 1874, p. 306.
 3. L. 1819, p. 237, 238; R.S. 1845, p. 135; R.S. 1874, p. 307, 308.
 4. R.L. 1827, p. 246, 247, 372; R.S. 1874, p. 990.
 5. R.S. 1874, p. 307; L. 1900, p. 163; L. 1911, p. 246.
 6. L. 1915, p. 637-40.
 7. Created in 1917 to supplant the State Board of Health abolished in that year (L. 1917, p. 4, 17, 27).

Drainage

In 1850 an act of Congress provided for the granting of swamp and overflowed lands to various states.¹ The land so granted to Illinois was turned over to the counties in 1852 to be reclaimed by drainage and used for county purposes.² Such lands were to be under the care and superintendence of the county court which was to appoint a "Drainage Commissioner" to conduct the sales of such lands. The county surveyor was to prepare plats of the swamp lands and return such plats to the clerk of the county court, whereupon the court fixed the valuation upon each tract. The purchasers of these tracts were given a certificate by the drainage commissioner, and a deed was later executed by the county court. The court was to sell only enough swamp lands to insure reclamation of all such land, any balance to be granted to the several townships to be used for educational purposes. At the discretion of the county, such balance could also be used for the construction of roads or bridges, or for other public works.

In 1865 the commissioners of highways in each town became boards of drainage commissioners, *ex officio*.³ Where a proposed drain ran through more than one town the commissioners of all the towns affected made up the board of drainage commissioners.⁴ In 1879 drainage construction by special assessment was handled by the drainage commissioners, a body corporate and politic composed of commissioners of highways.⁵

Provision was first made for the organization of drainage districts for agricultural, sanitary, and mining purposes in 1879. Petitions were to be filed with the county clerk and hearings on the same were to be had before the county court. When the court found in favor of the petitioners, it appointed three disinterested persons as commissioners to lay out and construct the work. Petitions for the construction of drains to cost less than \$5,000 were to be presented to justices of the peace, if the petitioners so elected, and the commissioners of highways were to perform the duties of drainage commissioners in such cases.⁶ In 1885 this law was amended to include drains costing less than \$2,000 and provided for the appointment of three residents as commissioners.⁷

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1. 9 U.S. Stat. 519.
 2. L. 1852, p. 178.
 3. L. 1865, p. 50.
 4. L. 1867, p. 91, 92.
 5. L. 1879, p. 142.
 6. L. 1879, p. 120.
 7. L. 1885, p. 130, 131.

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Public Services

Public Health

The State Department of Public Health, created in 1917,¹ is charged with general supervision of the health and lives of the people of the state. In conformance with this legislative order it is empowered to supervise, aid, direct, and assist local health authorities or agencies in the administration of the health laws. Public health districts may be organized along subcounty lines with a board of health in each. The names of such districts are to be filed with the county clerk to complete their organization. Annually, each board of health certifies to the county clerk the rate of a public health tax to be levied in each district, the clerk being responsible for setting out the proper taxes upon the warrant books and transmitting them to the collector as provided for in regard to other taxes.²

Control of the state health department over lodging houses, boarding houses, taverns, inns, and hotels is effected through the county clerk, the proprietors of such establishments being required to file with the clerk an annual statement containing details as to sleeping accommodations for guests.³ The clerk is also required to report annually to the state health department the names and addresses of township officials.⁴

Mosquito abatement districts are organized upon petition to the county judge of the county in which such territory lies, such petitions being filed with the county clerk. If, after hearing, the county judge determines that the organization of a district is necessary, the question is submitted to the residents of the territory at a special election. The judges of election make return to the county judge, and the results are entered upon the records of the county court. A majority of the votes favoring it, a mosquito abatement district is thereupon organized.⁵

County officials also enter into the state's control of public swimming pools. When a representative of the State Department of Public Health finds conditions that warrant the closing of such a pool, the owner of the pool and the sheriff and state's attorney of the county are notified to that effect, it being the duty of these officers to enforce such notices.⁶

1. L. 1917, p. 4.

2. Ibid., p. 27, 28, 763, 765, 767, 768.

3. L. 1901, p. 305.

4. L. 1923, p. 480.

5. L. 1927, p. 694.

6. L. 1931, p. 735, 736.

Vital Statistics

The State Department of Public Health has charge of the registration of births, stillbirths, and deaths throughout the state.¹ To effect proper control of this matter the state is divided into vital statistics registration districts which, in De Witt County, are identical with the townships. The township clerk acts as the local registrar in these districts and receives certificates of births and deaths occurring in the district. Burial permits are issued by the registrar and are later returned to him for filing.

The local registrar is required to deposit monthly with the county clerk a complete set of records of births, stillbirths, and deaths registered during the month, and the clerk is charged with binding and indexing, or recording, and safekeeping of such records. The original certificates are sent monthly by the local registrars to the state health department which certifies annually to the county clerk the number of births, stillbirths, and deaths registered in the county.

The county board is to appropriate money for the payment of the local registrars' fees. Such amounts are charges against the county, and the county clerk is required to issue warrants on the county treasurer for the amount of the fees payable to the registrars.

The county also enters into the enforcement phase of this matter. The state health department reports cases of violations of any provisions of the act relating to registration to the state's attorney who is to initiate and follow up court proceedings against violators.

Since 1937 the county clerk has been required to keep a record of applications for marriage licenses, together with certificates showing that persons desiring to marry are free from venereal diseases.²

When a marriage has been performed the certificate of marriage together with the license is returned to the county clerk, who is required to keep a registry of marriages, showing the date, names of the parties and name and title of the official performing the ceremony.³

Public Assistance

Public assistance is administered through the services of the county department of public welfare, the county home, examiner of the blind, the probation officers, the county clerk, and the county board.

1. L. 1915, p. 660-70.

2. L. 1937, p. 908-11.

3. R.S. 1874, p. 696.

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The county department of public welfare is headed by a superintendent appointed by the county board after approval by the State Department of Public Welfare.¹ He assists the state department in the operation of welfare plans and policies within the county and has charge of the administration of old age assistance.² In this latter regard the county department acts merely as the agent of the state department, investigating applicants and reporting results.

The county home is an establishment for the maintenance and care of indigents. Its management and finances are provided by the county board.³ Blind assistance is administered in the county through appropriations by the county board together with state funds. An examiner of the blind, appointed by the county board, examines all applicants referred to him by the county clerk.⁴ The county court has jurisdiction in the administration of the mothers' pension fund. A probation officer, an appointee of the court for this purpose, investigates and visits cases of indigent mothers who are entitled to benefit.⁵

Coordination of Functions

From the foregoing discussion of functions of the county government it is apparent that the county plays a dual role, that of a body politic and that of an agent of the state. In its first capacity the county, through its officials, is capable of suing and being sued, purchasing, holding, and selling property, making contracts, and raising revenue for its proper operation. As a state agent it fits into a state-wide program on various matters of public concern, acting under the supervision and control of the state and coordinating the activities of subcounty agencies and officials.

Coordination of county activities is affected chiefly through the county clerk. An illustration of this is the part this official plays in the election procedure where there is no board of election commissioners.⁶ As ministerial officer of the county board he notifies the judges and clerks of elections of their appointment, supplies them with blanks and poll books, receives copies of registers of voters, issues notices of election, receives and preserves returns, canvasses

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1. L. 1937, p. 451,452.
 2. L. 1935-36, First Sp. Sess., p. 54-61,72; L. 1937, p. 265-70,452.
 3. L. 1935, p. 1057.
 4. L. 1903, p. 138; L. 1915, p. 256,257; L. 1935, p. 264,265.
 5. L. 1913, p. 127-30; L. 1915, p. 243-45; L. 1921, p. 162-64; L. 1935, p. 256-59.
 6. See Elections, p. 98, for explanation of development and control of the election machinery.

votes with the assistance of two justices of the peace and retains the abstracts, transmits copies of election returns and abstracts of votes to the Secretary of State, and issues certificates of election. Where there is a board of election commissioners, most of the clerical work is done by the board, however, the county clerk completes the procedure by sending copies of election returns to the Secretary of State and issues certificates of election.

Records System

County records in the State of Illinois have suffered from the lack of an adequate program of legislation designed to secure uniformity in recordation and to insure the proper care of those documents which have permanent value. However, from the inception of statehood, some effort has been made to coordinate the records systems of the several counties and to preserve their archives.

In attempting to establish state-wide uniformity among counties, the General Assembly has at times provided detailed descriptions of required records and in many instances has supplied the very forms to be used. Laws relating to the duties and powers of county officers usually contained some such provisions. Thus, in 1819, the recorder of the county was ordered to supply "parchment or good large books, of royal or other large paper, well bound and covered" wherein to record all deeds and conveyances brought to him for that purpose. He was also to keep a fair book in which to enter every deed or writing to be recorded, noting the date, the parties, and the place where the lands were situated, such entries to be made according to priority of time.¹ In 1833 he was required to keep an alphabetical index to each book,² and by 1874 the General Assembly had prescribed a complete list of books to be kept in the office of the recorder, with a description of the contents of each, which list has been continued, substantially unchanged, to the present.³

In like manner, legislation was enacted prescribing records to be kept by the county clerk and his predecessors, acting in their several capacities,⁴ the clerk of the circuit court,⁵ the judge⁶ and justice of the pro-

1. L. 1819, p. 18,20.

2. R.L. 1833, p. 511.

3. R.S. 1874, p. 834.

4. L. 1849, p. 66,203; L. 1859, p. 92,94; L. 1865, p. 93; R.S. 1874, p. 261-65,332; L. 1933, p. 293-95.

5. R.L. 1833, p. 152; R.S. 1845, p. 147; L. 1847, p. 70; L. 1849, p. 9; L. 1865, p. 93; R.S. 1874, p. 262,263; L. 1933, p. 293,294.

6. R.L. 1829, p. 231.

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bate court,¹ the coroner,² the county superintendent of schools,³ the county surveyor,⁴ and the county treasurer.⁵

Description of records and forms to be used are frequently found in legislation pertaining to the holding of elections,⁶ assessments and the collection of revenue,⁷ the organization and maintenance of common schools,⁸ the registration of marriages,⁹ and the recording of vital statistics.¹⁰

While there has been enacted much legislation prescribing the kind of records to be kept, only a few laws deal with the safeguarding and preservation of county archives. In 1819 the General Assembly directed the clerks of the circuit and county commissioners' courts to provide "a safe press or presses with locks and keys for the safe-keeping of the archives of their offices" ¹¹ In 1843 the county commissioners' courts were authorized, and required whenever the finances of the county would justify the expenditure, to erect a fireproof recorder's office at the county seat, or if the commissioners were of the opinion that any unappropriated room in their courthouses could be made fireproof, to make it so and house the office and records of the recorder there. At the discretion of the county commissioners' court, the provisions of this act might be deemed to apply to the offices of the clerks of the circuit and county commissioners' courts. ¹² Similar in content but slightly different in wording is a later enactment in which the county commissioners' courts were authorized to "erect, build, and provide permanent fireproof rooms, houses or vaults, for the purpose of placing therein and preserving from injury, damage, loss, or destruction by fire, the records and documents

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1. R.S. 1845, p. 427,428.
 2. R.L. 1833, p. 574; L. 1869, p. 104,105; R.S. 1874, p. 283.
 3. L. 1849, p. 155,156; L. 1865, p. 120; L. 1909, p. 346,348,349.
 4. R.L. 1829, p. 173; R.S. 1845, p. 524.
 5. R.S. 1845, p. 138; R.S. 1874, p. 323,324.
 6. L. 1819, p. 92,94; R.L. 1827, p. 291,292; R.L. 1829, p. 59,60; L. 1845, p. 41,42; L. 1849, p. 73,74; L. 1865, p. 54,55; L. 1871-72, p. 386-89, 391; L. 1885, p. 143,148,173,176; L. 1937, p. 522-29,531-48.
 7. R.L. 1827, p. 329-33; L. 1838-39, p. 4,5,7,8,12,13,17; L. 1845, p. 6-9, 12,14,15; L. 1849, p. 37,38,124-26; L. 1851, p. 53,55,56; L. 1853, p. 17,24,50,55,77,78,111,112; L. 1871-72, p. 19,23,32,48,49,54.
 8. L. 1825, p. 127; R.L. 1833, p. 563; L. 1841, p. 263,270-72; L. 1845, p. 53,54,65-68; L. 1847, p. 121-23,142-44; R.S. 1874, p. 950,957,958, 964.
 9. L. 1819, p. 27; R.L. 1827, p. 288,289; R.S. 1874, p. 694,695.
 10. L. 1842-43, p. 210-12; L. 1877, p. 209; L. 1901, p. 301-4; L. 1903, p. 315-18; L. 1915, p. 666,667.
 11. L. 1819, p. 332.
 12. L. 1842-43, p. 210.

of their respective counties."¹ The preservation of county archives has been greatly aided by an act to provide for the copying of old, worn-out records,² and by a law authorizing the transfer of county records having historic value to the Illinois State Historical Library, the Archives Division of the Illinois State Library, or to the State University at Urbana.³ Provision is made in this act for the substitution of accurate copies of these documents if such action be deemed necessary. In 1907 the act was amended to include among the institutions to which old records might be sent, any historical society incorporated and located within a particular county.⁴ Laws have also been enacted which provide for the restoration of certain classes of records destroyed by fire or other means.⁵ In 1935 the General Assembly appropriated money for the construction of a fireproof building at Springfield for the purpose of storing therein the archives and records of the state.⁶ The erection of this structure, the State Archives Building, has helped to make possible the inauguration of an intelligent, farsighted program for the preservation of papers and documents of historic value.

There are still serious omissions in legislation pertaining to recordation. For instance, Illinois has no law prescribing the kinds of inks to be used in keeping records. And, although laws have been enacted authorizing the provision of fireproof accommodations for county documents, they are permissive rather than mandatory in character.⁷ Legislation enabling the destruction of worthless archives apparently is nonexistent with the exception of laws relating to certain election papers.⁸ The enactment of legislation which would remedy these defects in the laws and continue the trend toward state-wide uniformity among counties would result in an intelligent, economical records system for the State of Illinois.

1. L. 1845, p. 46.

2. L. 1871-72, p. 648, 649.

3. L. 1897, p. 205; L. 1939, p. 693.

4. L. 1907, p. 375.

5. L. 1871-72, p. 649, 650, 652.

6. L. 1935, p. 138.

7. L. 1842-43, p. 210; L. 1845, p. 46.

8. L. 1861, p. 269; L. 1871-72, p. 389; L. 1885, p. 146, 193; L. 1891, p. 118, 119; L. 1917, p. 438, 443.

3. HOUSING, CARE, AND ACCESSIBILITY OF THE RECORDS

The plans and specifications of the present courthouse in Clinton, the county seat of De Witt, were adopted at a special meeting of the board of supervisors on May 16, 1893. The plans were prepared by Henry Elliot of Chicago. The first meeting of the county board in the new building was held on July 9, 1894.¹

This forty-eight-year-old government structure, the third in the county's history, is quatrefoil in shape and in its Mansard roof and Romanesque style of architecture shows a French influence. It is two stories in height with a basement and attic; a spired clock tower rises from its center. The exterior is faced with Cleveland stone; also used in its construction were brick and wood. Overall dimensions are 88 feet square by 35 feet in height, exclusive of the tower. This building cannot be considered as fireproof.

The public square on which the courthouse stands divides Main Street into East Main and West Main; also, Center Street is split into North Center and South Center. The four streets bounding the square are likewise separated into north and south, east and west streets, as the case may be. Washington Street is to the north of the square, Monroe Street is on the east, Adams Street is on the south, and Quincy Street is on the west. Entrance to the courthouse may be made from any one of four entrances, approaching from North Center or South Center streets, or from East Main or West Main streets.

No records are housed in the basement at the present time, though the circuit and county clerks did at one time keep part of their records in the three vaults that are now vacant. Three wings of the basement are devoted to public service, the women's and men's rest rooms, and a club room; the fourth wing contains the boiler room.

The first floor has the county clerk's office and vault in the northwest wing; his storeroom is off the county court room which is in the northeast wing; entrance to this storeroom is also made from the hall between the wings. The private office of the county judge is also in this northeast wing. The circuit clerk, and recorder ex officio, has his office and vault in the southeast wing; and the treasurer has his public office, private office, and vault in the southwest wing. Records are kept in the two clerks' offices, but not in the treasurer's office. All depositories on this floor are crowded, including the vaults but not the county clerk's storeroom. With the addition of shelving, this depository could accomodate part of the excess in the clerk's office and vault.

1. Supervisors' Record, v. E, p. 428,484, see entry 2; for details on history of all courthouses, see Historical Sketch, p. 19-21.

Housing, Care, and Accessibility of the records

A major portion of the space on the second floor is used for the circuit court room. This room occupies all of the northeast wing and extends into the northwest and southeast wings. In the southeast wing is a large room used jointly by the board of review and juries. The superintendent of highways stores the greater part of his records in this room. His office is in this wing but contains no records; a small percentage are kept in his secretary's office. The remainder of his records are in a storeroom built in the rotunda which also has a storeroom for a small part of the records of the superintendent of schools. This official has his office and an examination room in the southwest wing. The greater percentage of his records are in his office. In the northwest wing the sheriff has two rooms, an office and a private office; only a small part of his records are kept in his outer office, the bulk being housed in the county clerk's storeroom on the first floor. A minor portion of the sheriff's records are maintained in the jail.

The attic contains two storerooms; one for the county clerk in the northwest wing and one for the circuit court clerk in the southeast wing. The larger part of the attic is unfinished.

Besides these depositories in the courthouse, there are others maintained by certain county officers, either in their homes or in a commercial building, where records are housed. The county jail has been mentioned as a repository for part of the sheriff's records; these will be found in the receiving room and in the photographic room. The coroner has a small percentage of his records at his residence. The probation officer who serves the county court has a small percentage of the court's records at her home. The superintendent of the department of public welfare keeps all of the old age assistance records in his office on the first floor of the Conklin Building, 214 East Main Street, Clinton. All depositories described so far are at the county seat, the City of Clinton. Only the depository of the superintendent of the county home is outside of Clinton; his records are kept in his residence on the county farm which is at Hallsville on State Highway Number 10, 7 miles west of the courthouse.

Because of the crowded condition of the largest record offices and vaults, those particularly of the county and circuit clerks, accommodations for consultants of records are limited. All offices are well lighted and ventilated. The vault of the circuit clerk and recorder ex officio does not have the favorable conditions found in the vaults of the county clerk and treasurer. Likewise, the storeroom of the circuit clerk in the attic was found to be dusty whereas that of the county clerk was not. (For detailed floor plans of the courthouse, and arrangement of offices, see pages 123-26.)

Of the total 3,133 volumes of records, 730 or 23 percent are housed in vaults; 329 or 10 percent are in the various offices; and 2,074 or 67 percent will be found in the storerooms. The percentage totals for the files approximate those of volumes with the exception of offices where a greater percentage of files are kept. Thus, of the 1,807 files, 476 or 26 percent are in the vaults; 534 or 30 percent are in offices; and 797 or 44 percent are in storerooms. Besides the files there 284 bundles, 21 cases, 36 rolls,

Housing, Care, and Accessibility of the Records

1 map, and 14 envelopes. With the exception of 3 bundles and 1 map kept in offices and 1 bundle in a vault, all unbound records are housed in the storerooms. (For allocation of records in the depositories according to offices, as well as percentages of records therein, see charts on pages 117, 118; for detailed information on the separate depositories, with a description of facilities for the housing of records, see charts on pages 119-22.)

Concern for the upkeep of the present courthouse has been regularly evinced by the county board as records of their actions reveal. On September 9, 1902, report was made that \$285 had been spent for repainting the courthouse.¹ The next year, June 8, the county clerk was ordered to issue an order to a Mr. Mathews for \$225 for repairs on the courthouse.² The board awarded a contract September 11, 1907 for \$1,324 for a new roof, the "mansards to be slate."³ December 11, the same year, the board gave the Building Committee power "to go ahead with all necessary Repairs to the interior of Court House from cellar to garrett."⁴ Effort also has been directed to provide adequate equipment for storage of records as the report of the Committee on Public Building, submitted June 10, 1913, states, that contract had been let for new shelves and boxes for circuit and county clerks' offices for the sum of \$1,500.⁵ A heating plant, purchased from Walter Kraft and Fred Wade, was installed in 1940.⁶ Heat, previously, since 1902, had been supplied from the outside.

Adequate fireproof vault space for the proper storage of records is the essential need in the De Witt county courthouse. Even though most every office is crowded as well as adjoining vaults, there is ample space in the storage rooms in the attic to house old records. The storage of records here, however, would increase the fire hazard and other steps to provide protection against fire and the deteriorating effects of dust and dampness should be considered. The building of one large vault in the basement, using the entire northwest wing for example, might give the beneficial results desired. Should an excess of space result from the provision of such a vault, then the offices on the first floor could be enlarged by removing the vaults there and installing steel cabinets for current records.

The quartrefoil design of the building reduces space by cutting off corners so that no office room is square; thus the loss of a certain amount of valuable space is suffered. With sufficient vault space, records that need rebinding could be cared for, all records properly arranged, and such an order maintained.

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1. Supervisors' Record, v. F, p. 382, see entry 2.
 2. Ibid., p. 435.
 3. Ibid., v. G, p. 117.
 4. Ibid., p. 133.
 5. Ibid., p. 425.
 6. Ibid., v. I, p. 427.

There are no serious gaps in the records of De Witt County; certain records go back over one hundred years. Bound record volumes are used in preference to the loose-leaf type and at the time of the Survey, a number of volumes in every depository were found to be in need of rebinding. Established practices are followed in the indexing of records and their filing as is done in most all counties in Illinois.

CHART OF COUNTY OFFICES SHOWING PERCENTAGES OF RECORDS IN DEPOSITORIES

Office	Volumes	Files	Other	Depository and Percent of Records
County board	27	194 f.b.	- - -	co. clk.'s off. 22.7; co. clk.'s vlt. 20.5; co. clk.'s strm. 56.8
County clerk	2013	148 f.b.	- - -	co. clk.'s off. 7.7; co. clk.'s vlt. 4; treas.'s vlt. 0.3; co. clk.'s strm., attic 87.8; co. clk.'s strm., 1st fl. 0.2
Recorder	338	3 f.b.	- - -	cir. clk.'s off. 16.8; cir. clk.'s vlt. 66.2; co. clk.'s off. 0.3; cir. clk.'s strm. 16.7
County court	98	342 f.b.	2 bdl.	co. clk.'s off. 3; co. clk.'s vlt. 53.4; co. clk.'s strm. 40.6; off. of prob. officer 3
Probate court	192	6 f.b.	- - -	co. clk.'s off. 0.5; co. clk.'s vlt. 88.1; co. clk.'s strm. 11.4
Circuit court	255	1030 f.b.	123 bdl.	cir. clk.'s off. 17.6; cir. clk.'s vlt. 31.2; cir. courtroom 0.5; cir. clk.'s strm. 50.7
Sheriff	44	2 f.b. 1 f.d.	- - -	sh.'s off. 43.1; sh.'s receiving room, co. jail 2.4; sh.'s photographic room 0.2; co. clk.'s strm. 54.3
Coroner	4	11 f.b.	- - -	cir. clk.'s off. 50.5; cir. clk.'s strm. 25.7; coroner's residence 23.8
State's attorney	- - -	- - -	- - -	reports to circuit court filed with circuit clerk
Supervisor of assessments	28	1 f.b. 2 f.d.	- - -	co. clk.'s off. 50; treas.'s vlt. 50
Board of review	6	4 f.b.	1 bdl.	co. clk.'s off. 16.8; co. clk.'s vlt. 49.9; co. clk.'s strm. 32.3; treas.'s vlt. 1
Collector	49	2 f.b.	94 bdl.	treas.'s vlt. 80; co. clk.'s strm. 20

CHART OF COUNTY OFFICES SHOWING PERCENTAGES OF RECORDS IN DEPOSITORIES (cont.)

Office	Volumes	Files	Other	Depository and Percent of Records
Treasurer	32	15 f.b.	1 bdl.	treas.'s vlt. 89; co. clk.'s strm. 11
Supt. of schools	24	13 f.b.	1 map 62 bdl.	off. of supt. of schools 85.7; strm. of supt. of sch. 14.3
Supt. of highways	9	8 f.b.	36 rolls 14 envelopes	strm. of supt. of hways. 11.2; jury rm. 67.6; off. of secretary to supt. of hways. 21.2
Drainage commissioners	8	16 f.b.	---	co. clk.'s off. 10; co. clk.'s vlt. 90
Department of public welfare	1	4 f.b. 5 f.d.	---	office of department of public welfare 100
County home	5	---	---	front room of superintendent's residence 10
Tuberculosis sanitarium board	---	---	---	transactions with and reports to county board filed with county clerk
Farm bureau	---	---	---	reports sent to State and Federal Departments of Agriculture
Home bureau	---	---	---	reports sent to State and Federal Departments of Agriculture

CHART OF DEPOSITORIES, SHOWING LOCATION, CONTENTS, AND CONDITION

De Witt County Courthouse; Public Square, Washington, Monroe, Adams, Quincy streets, Clinton
(Two stories, basement, and attic; stone veneer [1893]. 271,040 cubic feet)

Depository	Floor Location	Dimensions	Floors	Walls & Ceiling	Light & Ventilation	Accommodations	Housing Facilities						Accessibility and condition
							Shelving		Quantity of Records				
							Type	In use	Vols.	Files	Other		
Co. clk.'s off.	1st nw.	12x34x21	wood	plaster	electric 12 windows	4 desks 8 chairs	steel wood 170 ft.	105 ft.	172	175 f.b. 2 f.d.	----	crowded	
Co. clk.'s vlt.	1st nw.	11x13x11	wood	plaster	electric no windows	1 counter 1 chair	steel 378 ft.	378 ft.	313	301 f.b.	1 bdl.	crowded; space and equipment needed	
Co. clk.'s strm.	1st ne.	12x12x9	wood	plaster	electric 4 windows	----	----	----	----	----	21 cases	good	
Co. clk.'s strm.	attic nw.	10x20x36	wood	plaster	electric no windows	2 tables no chairs	wood 753 ft.	215 ft.	1896	230 f.b.	95 bdl.	some dust	
Cir. clk.'s off.	1st se.	12x34x21	wood	plaster	electric 12 windows	6 tables 7 chairs	steel 234 ft.	234 ft.	94	302 f.b.	----	crowded; space needed	
Cir. clk.'s vlt.	1st se.	11x13x11	concrete	plaster steel	electric no windows	none	steel 487 ft.	471 ft.	323	155 f.b.	----	crowded; space needed	
Cir. courtroom	2nd ne.	18x50x48	wood	plaster	electric 18 windows	good	----	----	----	25 f.b.	----	good	

CHART OF DEPOSITORIES, SHOWING LOCATION, CONTENTS, AND CONDITION
De Witt County Courthouse (cont.)

Depository	Floor Location	Dimensions	Floors	Walls & Ceiling	Light & Ventilation	Accommodations	Housing Facilities					Accessibility and Condition
							Shelving		Quantity of Records			
							Type	In use	Vols.	Files	Other	
Cir. clk.'s strm.	attic se.	10x20x36	wood	plaster	electric no win-dows	none	wood 200 ft.	48 ft.	178	562 f.b.	123 bdl.	some dust
Jury room (Board of review)	2nd se.	12x25x20	wood	plaster	electric 8 win-dows	none	wood rack	- -	7	3 f.b.	- - -	good
Sh. 's off.	2nd nw.	12x17x13	wood	plaster	electric 5 win-dows	1 desk 2 chairs	wood 30 ft.	15 ft.	19	- -	- - -	good
Trees.'s vlt.	1st sw.	7x6x5	wood	plaster	electric no win-dows	none	steel 90 ft.	78 ft.	94	20 f.b.	- - -	crowded; space and equipment needed
Off. of supt. of schools	2nd sw.	12x27x15	wood	plaster	electric 8 win-dows	1 desk 2 tables 3 chairs	steel cabinet 35 ft.	23 ft.	24	12 f.b.	1 bdl. 1 map	good
Strm. of supt. of schools	2nd center	12x8x8	wood	car-board	electric no win-dows	none	wood 140 ft.	- - -	- - -	1 f.b.	62 bdl.	good

Strm. of supt. of hwy.	2nd center	12x8x8	wood	plaster	electric no win- dows	none	wood 64 ft.	15 ft.	- - -	4 f.b.	36 rolls 14 en- velopes	good
Sec.'s off. supt. of hwy.	2nd se.	12x10x15	wood	plaster	electric 3 win- dows	1 desk 1 chair	wood 5 ft.	3 ft.	2	1 f.b.	- - -	good

Coroner's Residence, Clinton
(One story; frame construction[1940]; 22,500 cubic feet)

Coroner's off.	1st	9x9x12	wood	plaster	electric 2 win- dows	2 tables 4 chairs	- -	- -	1	- -	- - -	good
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Probation Officer's Residence, 424 W. Jefferson street, Clinton
(One and one-half stories; frame construction; 45,000 cubic feet)

Off. of probation officer	1st hall- room	9x6x10	wood	plaster	electric 2 win- dows	1 steel cabinet	- - -	- - -	3	2 f.b.	2 bdl.	good
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Conklin Building, 214 East Main street, Clinton
(Two stories; brick and steel [1895]; 39,560 cubic feet)

Off. Dept. of public welfare	1st	18x14x60	wood	plaster	electric 4 win- dows	tables chairs	- - -	- - -	1	4 f.b. 5 f.d.	- - -	good
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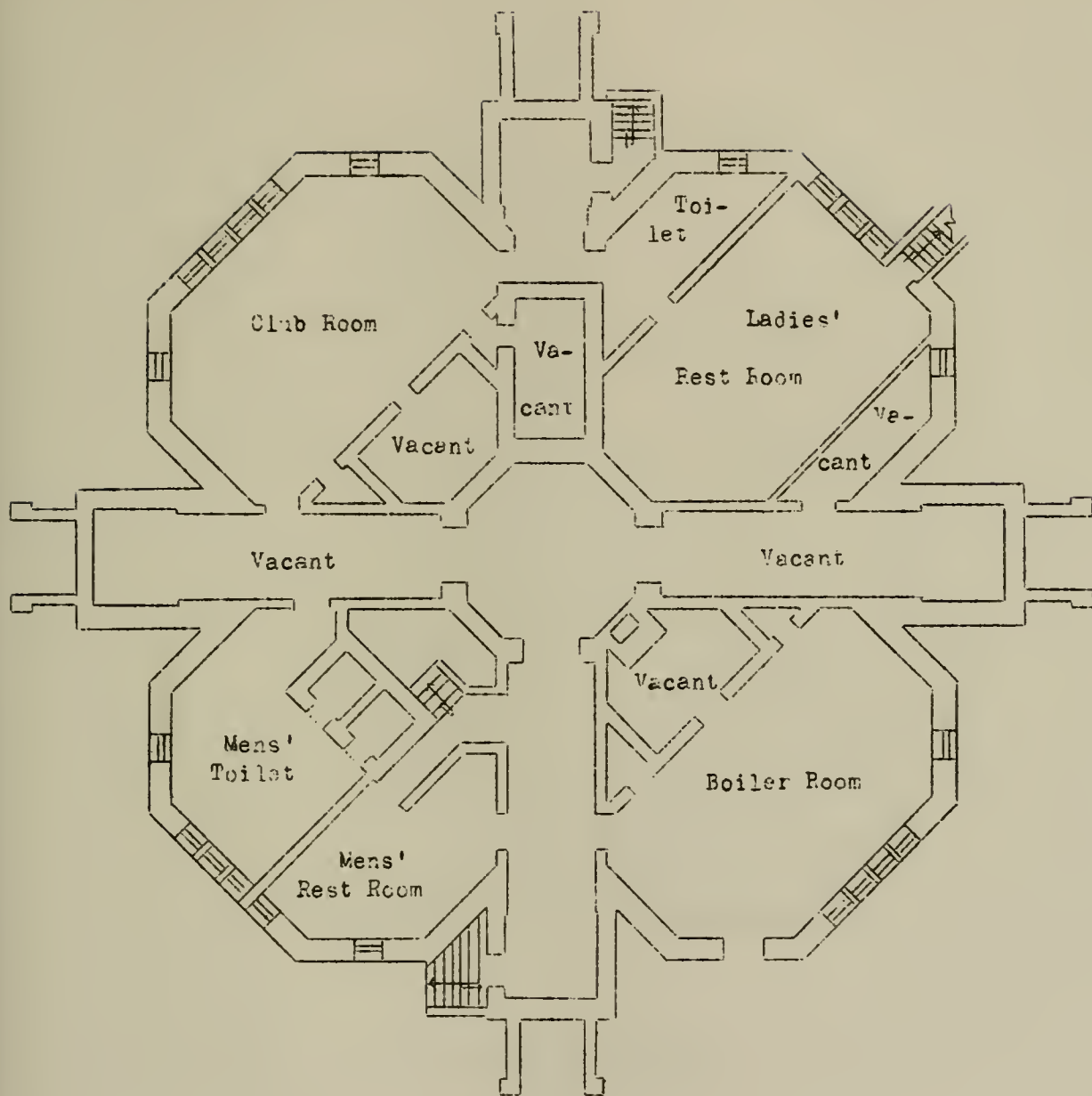
CHART OF DEPOSITORIES, SHOWING, LOCATION, CONTENTS, AND CONDITION

County Jail, 215 North Monroe street, Clinton
(Two stories; brick veneer on concrete, construction [1917]; 40,000 cubic feet)

Depository	Floor Location	Dimen- sions	Floors	Walls & Ceiling	Light & Ventilation	Accommo- dations	Housing Facilities					Accessibil- ity and Condition
							Shelving		Quantity of Records			
							Type	In use	Vols.	Files	Other	
Sh.'s photo- graphic room	1st se.	9x11x16	con- crete	con- crete	electric 2 win- dows	1 desk 4 chairs	- -	- -	- -	2 f.b.	- - -	good
Sh.'s re- ceiving room	1st se.	9x11x11	con- crete	con- crete	electric 1 win- dow	1 desk 3 chairs	- -	- -	1	1 f.d.	- - -	good

County Home, Hallsville, State Highway No. 10, seven miles west of courthouse
(One and one-half story; brick and stucco, construction [1924]; 105,000 cubic feet)

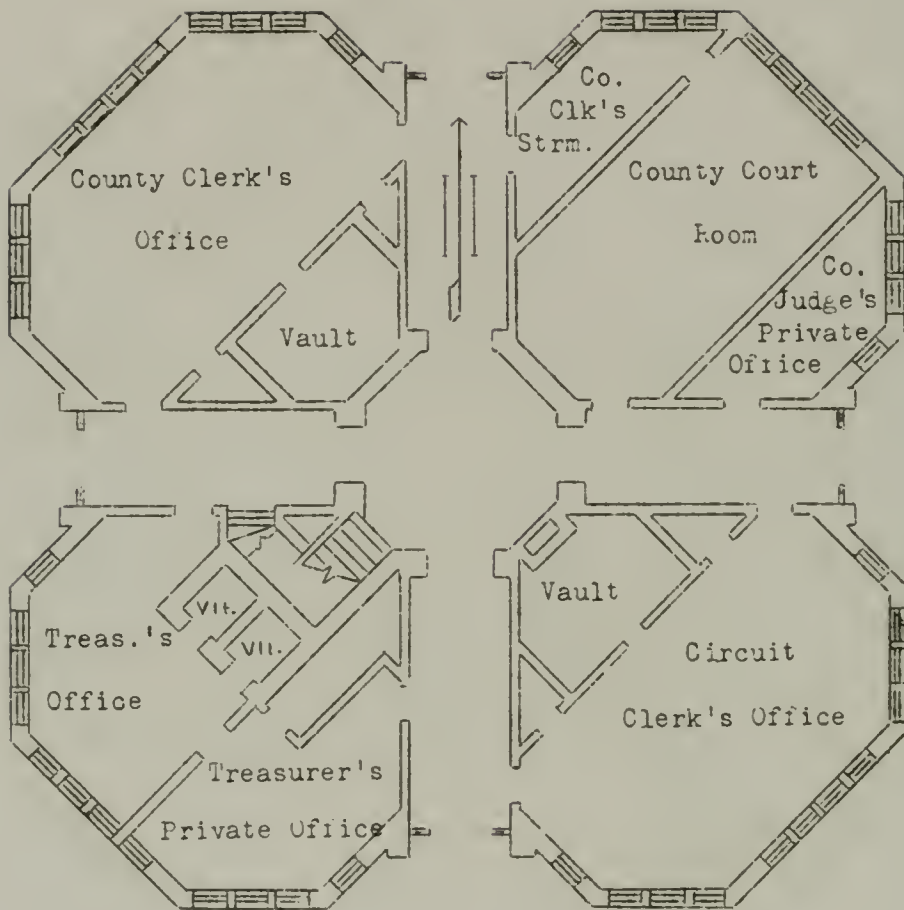
Front room	1st	12x40x20	wood	plaster	electric 2 windows	good	- - -	- - -	5	- - -	- - -	good
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Floor Plan Basement

Courthouse

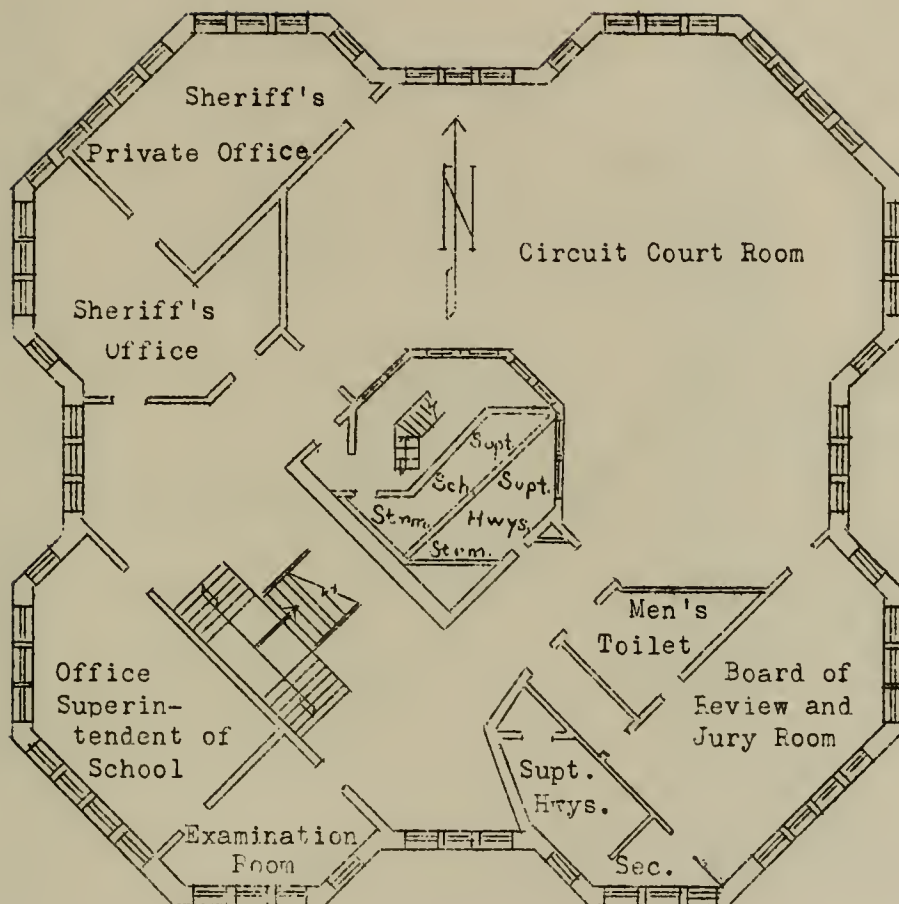
DE WITT COUNTY



Floor Plan First Floor

Courthouse

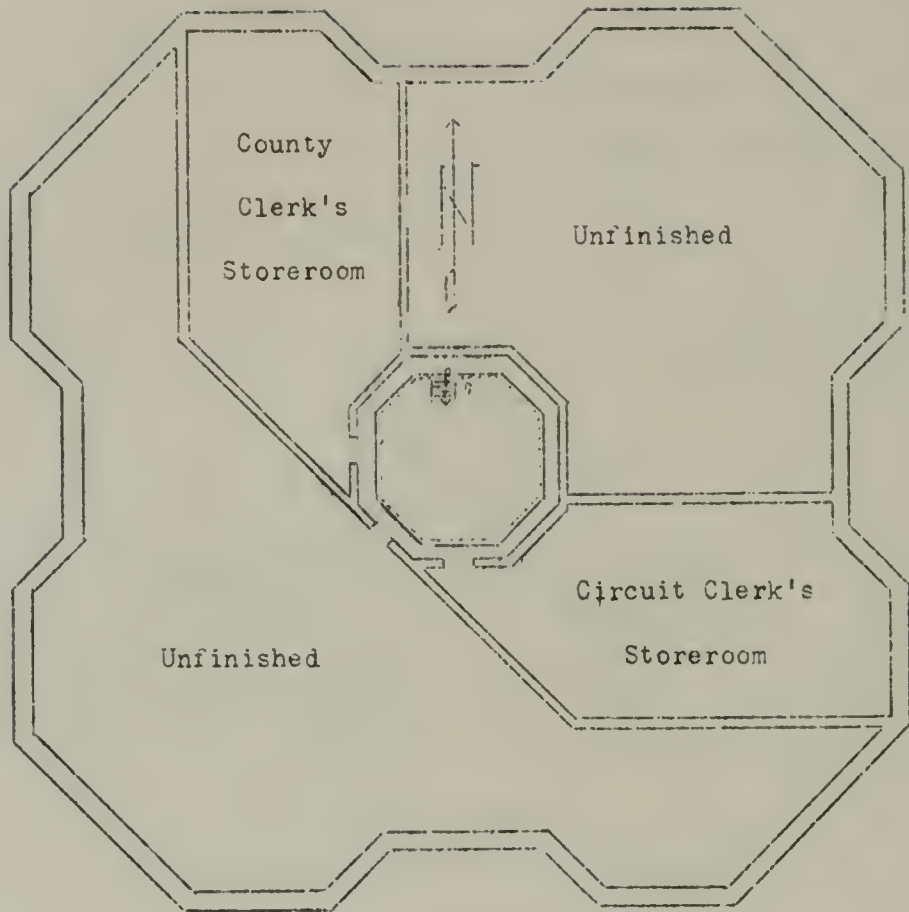
DE WITT COUNTY



Floor Plan Second Floor

Courthouse

DE WITT COUNTY



Floor Plan Attic

Courthouse

DE WITT COUNTY

4. ABBREVIATIONS, SYMBOLS, AND EXPLANATORY NOTES

alph.	alphabetical(ly)
app.	appendix
arr.	arranged, arrangement
Art.	Article
assr.	assessor
atty.	attorney
aud.	auditor
bd.	board
bdl.	bundle(s)
bldg.	building
bsmt.	basement
cf.	confer (compare)
ch.	chapter(s)
chron.	chronological(ly)
cir.	circuit
clk.	clerk
co.	county
coll.	collector
comp.	compiler
Const.	Constitution
cont.	continued
cor.	coroner
ct.	court
dept.	department
ed.	edited, edition, editor
f.b.	file box(es)
f.d.	file drawer(s)
f., ff.	and following (page, pages)
fl.	floor
fm.	form
ft.	feet
gen.	general
hdgs.	headings
hdw.	handwritten
hwys.	highways
ibid.	ibidem (refers to last single source cited)
idem	the same as that mentioned above
i.e.	id est (that is)
Ill.	Illinois Reports (Supreme Court)
Ill. App.	Illinois Appellate Court (Reports)
Ill. Rev. Stat.	Illinois Revised Statutes (Smith- Hurd)
Ill. S.A.	Illinois Statutes Annotated
in.	inch(es)
L.	Laws (of Illinois)
n.	footnote(s)

Abbreviations, Symbols,
and Explanatory Notes

no(s).	number(s)
N.W.	Northwestern Reporter
off.	office
p.	page(s)
pr.	printed
Priv. L.	Private Laws (of Illinois)
pro.	probate
rec.	recorder, record
R.L.	Revised Laws (of Illinois)
rm.	room
R.S.	Revised Statutes (of Illinois)
sch.	school(s)
sec.	section(s)
sep.	separate
Sess.	Session
sh.	sheriff
Sp.	Special
strm.	storeroom
supt.	superintendent
surv.	surveyor
treas.	treasurer
twp(s).	township(s)
U.S.C.C.A. Ill.	United States Circuit Court of Appeals (Illinois)
U.S.R.S.	United States Revised Statutes
U.S. Stat.	United States Statutes at Large
v.	volume(s)
vet.	veterinarian
vico	in place of
vlt.	vault
--	current

1. Despite inaccuracies in spelling and punctuation, titles of records are shown in the inventory proper exactly as on volumes and file boxes. The current or most recent title is used as the title of the entry and title variation is indicated.

2. Explanatory additions to inadequate titles and corrections of erroneous titles are enclosed in parentheses and have initial capitals.

3. In the absence of titles, supplied titles are capitalized and enclosed in parentheses.

4. In the title line, letters or numbers in parentheses indicate the exact labeling on volumes or file boxes. If no labeling is indicated, it may be assumed that there is none.

5. Title-line cross references are used to show the continuity of a record series which has been kept separately for a period of time and with other records for different periods of time, as in ontry 3, "1874-- in Supervisors' Record, entry 2." The description of the master entry shows

the title and entry number of the record from which the cross reference is made, as, for example, these words do in entry 2: "Also contains (Claim Record), 1874--, entry 3; . . ." Dates shown in the description of the master entry are only for the part or parts of the record contained therein, and are shown only when they vary from those of the master entry.

6. All dates used are inclusive.

7. When two or more types of containers are considered in a single entry, the quantity is shown in chronological order, insofar as possible.

8. The description of the contents of a record applies only to the current or most recent record unless change in contents is actually shown in a record entry.

9. Separate third-paragraph cross references from entry to entry and see also references with subject headings or subheadings are used to show prior, subsequent, or closely related records which are not parts of the same series.

10. Where no statement is made that the record was discontinued at the last date shown in the entry, it could not be definitely established that such was the case. Where no comment is made on the absence of prior, subsequent, or intermediate records, no definite information could be obtained.

11. Unless the index is self-contained, an entry for the index immediately follows its record entry. Cross references are given for exceptions to this rule. All indexes to records, unless otherwise stated, are self-contained.

12. Records may be assumed to be in good condition unless otherwise indicated.

13. On maps and plat records, the names of author, engraver, and publisher, and information on scale have been omitted only when these data were not ascertainable.

14. Unless otherwise specified, all records are located in the county courthouse. When all or the majority of the records of an office have a common location, the location is indicated in the last sentence of the office essay instead of in each individual entry.

B. COUNTY OFFICES
and

THEIR RECORDS



I. COUNTY BOARD

In Illinois, the county board is that body which exercises the corporate or politic power of the county.¹ In De Witt County since 1839² three bodies have successively acted as a county board, the county commissioners' court, the county court, and the board of supervisors.

The Constitution of 1818 provided that there should be elected in each county, for the purpose of transacting all county business, three commissioners whose term of service, powers, and duties should be regulated and defined by law.³ The first General Assembly denominated the commissioners a court of record, styled the county commissioners' court.⁴ Four annual sessions were required to be held for six days each, unless the business should be completed sooner; additionally, any one of the commissioners had power, upon giving five days' notice to the remaining commissioners and the clerk of the court, to call a special court which had the same authority as at a regular session.⁵ The first commissioners were elected for an irregular term;⁶ subsequently, it was provided that they should be elected at each biennial general election;⁷ and by an act of 1837, the term was lengthened to three years and staggered, with one new commissioner elected annually.⁸ Thereafter, the commissioner who was longest in office was to be recognized as the presiding officer of the court.⁹ Compensation, originally set at the sum of \$2.50 for each day's attendance in holding court,¹⁰ later was reduced to \$1.50.¹¹ In 1821, provision was made for the removal of commissioners for malfea-

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1. R.L. 1827, p. 107; R.S. 1845, p. 130; R.S. 1874, p. 306.
 2. De Witt County was created in 1839 (L. 1839, p. 199).
 3. Schedule, sec. 4.
 4. L. 1819, p. 175.
 5. Ibid., p. 175,176.
 6. Ibid., p. 100. The commissioners were to continue in office from the election held on the fourth Monday in April 1819, until the first Wednesday in August 1820, and until their successors were elected and qualified.
 7. L. 1821, p. 80.
 8. L. 1837, p. 103,104. In 1838, to initiate the procedure, the three commissioners elected were to draw lots marked one, two, and three years to determine length of term. This was done in De Witt County in 1839, after it was organized and the first commissioners held office from May 15, 1839 to August 5, 1839, the next occurrence of a regular election.
 9. Ibid., p. 104.
 10. L. 1819, p. 176.
 11. R.L. 1827, p. 205.

sance of duties, with proceedings as in criminal cases;¹ when the first criminal code was enacted in 1827, the penalty was modified to a fine of not more than \$200, with removal from office only upon recommendation of the jury.² Vacancies resulting from any cause were filled by special election upon order of the clerk of the court to the district judges of election.³

In 1849, after the State of Illinois had adopted a new constitution, the county commissioners' court was discontinued. In its place, the constitution provided for an administrative body to be composed of an elected officer, the county judge, and such number of justices of the peace as should be required by law.⁴ In the following legislative session, the General Assembly ordered the election of two justices of the peace to sit with the county judge to transact county business.⁵ Their term of office, like that of the county judge, was set at four years.⁶ This body, styled the county court, was required to hold four sessions annually and, when so sitting, had all power, jurisdiction, and authority formerly conferred upon the county commissioners' court.⁷ The compensation of the county judge was originally set at \$2.50 for every day of holding court.⁸ In 1855 the amount was increased to \$3.⁹

The new constitution also directed the General Assembly to provide, by general law, for a township organization under which any county might organize whenever a majority of the voters in the county should so determine.¹⁰ By provision of the subsequent enabling acts,¹¹ a board of supervisors, whose members were to be elected one in each township annually,¹² was created to transact all county business in counties adopt-

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1. L. 1821, p. 20. Conviction further carried disqualification from holding office for one year.
 2. R.L. 1827, p. 145.
 3. L. 1837, p. 104. No election was required to be held if the term of the commissioner vacating office would have expired within six months from the date of vacancy.
 4. Const. 1848, Art. V, sec. 16, 17, 19.
 5. L. 1849, p. 65, 66.
 6. Const. 1848, Art. V, sec. 17; L. 1849, p. 62, 65, 66.
 7. Ibid., p. 65.
 8. Ibid., p. 63.
 9. L. 1855, p. 181.
 10. Const. 1848, Art. VII, sec. 6.
 11. L. 1849, p. 190-224; L. 1851, p. 35-78. The later law repealed and was a complete substitute for the earlier, but so far as its effect on the sphere of county government was concerned, there was almost no difference between the two.
 12. L. 1849, p. 192; L. 1851, p. 38.

County Board

ing township organization.¹ The board of supervisors was to meet for one regular session a year with the provision that special meetings might be held when convenient.² The board members were compensated at the rate of \$1.50 a day,³ and a fine was provided in the sum of \$250 for refusal to perform, or neglect of, duties.⁴

De Witt County was governed by the county court from 1849 to 1859, when township organization was instituted.⁵ In 1870 Illinois adopted a new constitution, which continued the provision for township organization in counties so electing,⁶ and provided for a different form of county board to supplant the county court as an administrative body. This board was to consist of three officers, styled the board of county commissioners, and by subsequent legislation, was given all powers, jurisdiction, and authority formerly vested in the county court when it was acting in its administrative capacity.⁷ De Witt County was not affected by these laws as it has retained township organization from 1859 to date.

Since 1874 population has been a factor in local representation on the board of supervisors. In that year, each town or city, besides its regular supervisor, became entitled to one assistant supervisor if it had 4,000 or more inhabitants, two if 6,500, and one more for every additional 2,500.⁸ In 1931, these population requirements were made to affect only those counties having less than 100,000 inhabitants.⁹ The differentiating figure was reduced in 1933 to 90,000;¹⁰ however, in counties having a population of 90,000 or more, each town or city was allowed one additional supervisor for every 5,000 inhabitants, or major fraction thereof.¹¹ De Witt, with its population of 18,244 according to

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1. L. 1849, p. 202-4; L. 1851, p. 50-52.
 2. L. 1849, p. 202; L. 1851, p. 51. In 1861 it was provided that special meetings could be called upon request of one third of the members of the board (L. 1861, p. 236). Since 1899 the board has been required to hold two regular meetings (L. 1899, p. 363).
 3. L. 1849, p. 203; L. 1851, p. 52. In 1861, compensation was increased to \$2 a day (L. 1861, p. 238).
 4. L. 1849, p. 203, 204. This fine was reduced in 1851 to \$200 (L. 1851, p. 52). Subsequent legislation reduced it still further and added the more frequent penalty for misfeasance, disqualification for office (R.S. 1874, p. 1080).
 5. DeWitt County adopted township organization in 1858, but the change did not become effective until 1859,
 6. Const. 1870, Art. X, sec. 5.
 7. Ibid., sec. 6; L. 1873-74, p. 79, 80.
 8. R.S. 1874, p. 1075.
 9. L. 1931, p. 908.
 10. L. 1933, p. 1116.
 11. Ibid.; L. 1939, p. 1205, 1206.

the 1940 census was not affected at either time.¹ The assistant supervisors, whose terms run concurrently with those of regular supervisors,² have no power or duties as town officers, but are members of the county board and enjoy the same powers and rights as other members.³ At present its board of supervisors has fifteen members. The term of office of supervisors, lengthened in 1889 to two years,⁴ was further extended in 1929 to four years.⁵ Compensation was increased from \$1.50 to \$5 a day in 1919,⁶ lowered to \$4 in 1933,⁷ and raised again to \$5 in 1937,⁸ with an allowance of five cents per mile for necessary travel.

The functions of the Illinois county boards, in contrast to their legal status, have undergone little change since the beginning of statehood, the development being merely one of accretion and increasing complexity of duties within a well-defined and nearly static sphere of authority and jurisdiction. The law establishing the county commissioners' court conferred upon it jurisdiction in all matters concerning county revenue.⁹ Of this basic provision, nearly all other statutory powers of the court can be considered extensions; some, enunciated in the same law, already show such a legislative viewpoint. The court was given power to regulate and impose the county tax, and to grant such licenses as might also bring in a revenue; additionally, it was given authority over all public roads, canals, turnpike roads, and toll bridges.¹⁰ Other legislation by the first General Assembly gave the court power to buy and sell lots whereon to erect county buildings and to contract for their construction;¹¹ later, in the case of the courthouse at least, the court was declared to have the care and custody of the property and the right to make certain disposition of it.¹² Care of the indigent was also made a function of the court; it was required to make appropriations, to be levied and collected in the same manner as other county revenue, for their support. As an extension of this fiscal function, it was required to appoint an overseer of the poor in every township and establish a county poorhouse if necessary.¹³ Fiscal control over school lands was exercised at first solely through

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1. Illinois Final Population.
 2. L. 1933, p. 1115.
 3. R.S. 1874, p. 1078,1080; L. 1925, p. 605; L. 1929, p. 774; L. 1931, p. 905,907; L. 1933, p. 1115.
 4. L. 1889, p. 109; L. 1917, p. 793; L. 1925, p. 605.
 5. L. 1929, p. 774,775; L. 1931, p. 906.
 6. L. 1849, p. 203; L. 1857, p. 186; L. 1871-72, p. 444; L. 1919, p. 569.
 7. L. 1933, p. 615.
 8. L. 1937, p. 601.
 9. L. 1819, p. 175.
 10. Ibid.
 11. Ibid., p. 237,238.
 12. L. 1843, p. 128.
 13. L. 1819, p. 127; L. 1839, p. 138,139.

County Board

the court's power of appointment of the trustees of school lands;¹ after the creation of the office of county school commissioner,² firmer control was effected through the medium of reports which the commissioner was required to submit to the court.³ The court also had authority to examine the full accounts of the commissioner.⁴ Other functions of the court were its duties in relation to elections and juries. It had authority to establish precincts,⁵ to appoint judges of election,⁶ and to allow compensation to officials for services and stationery.⁷ Two panels each of petit and grand jurors were required to be selected. The former were enrolled on the list of taxable inhabitants; the latter only to be freeholders or householders.⁸

The substitution of the county court for the county commissioners' court produced no important changes in the sphere of government; neither the second constitution nor the enabling legislation made any original pronouncements with regard to the powers or duties of the former.⁹

The revised law on township organization, in the main, only made more inclusive and definite the powers of the board.¹⁰ The board was given authority to purchase and hold any land within the county for the use of its inhabitants; it was also given authority to make such contracts and to purchase and hold such personal property as might be necessary to the exercise of its powers; moreover, it could make such orders for the disposition, regulation, or use of the corporate property as might seem to be to the interest of the inhabitants.¹¹ Explicit also, was the authority to audit all claims against the county, and the accounts of such officers as were not otherwise provided for by law.¹² The board was also given power to appropriate funds for the construction of roads and bridges in any part of the county whenever a majority of the whole board might deem it proper and expedient.¹³

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1. R.L. 1827, p. 366.
 2. R.L. 1829, p. 150.
 3. L. 1831, p. 175; R.S. 1845, p. 500,501.
 4. L. 1831, p. 175.
 5. L. 1821, p. 74. There was in this law and in many of those following, a limit to the number of precincts which could be established (L. 1825, p. 168; R.L. 1827, p. 256; R.L. 1829, p. 54; L. 1835, p. 141). Prior to 1821, each township was declared by statute to constitute an election district (L. 1819, p. 90).
 6. L. 1819, p. 90.
 7. Ibid., p. 99.
 8. Ibid., p. 255; L. 1823, p. 182.
 9. Const. 1848, Art. V, sec. 19; L. 1849, p. 65.
 10. The Act of February 17, 1851, previously cited (L. 1851, p. 35-78).
 11. L. 1851, p. 50.
 12. Ibid., p. 51.
 13. Ibid.

From the enabling legislation of the present constitutional period is drawn the following brief statement of the principal functions of the county board:

1. The purchase, sale and custody of the real and personal property of the county.
2. The examination and settlement of accounts against the county.
3. The issuance of orders on the county treasury in pursuance of its fiscal administration.
4. The examination of accounts concerning the receipts and expenditures of county officers;¹
5. The supervision of elections;² the selection of juries;³ the construction and maintenance of roads and bridges;⁴ the care of the indigent, infirm, and disabled.⁵
6. The appropriation of funds necessary to the effecting of its functions;⁶ the raising of such sums through taxation; and in general, the management of county funds and county business.⁷

At all times the county board has had a clerk who has served it in a ministerial capacity. The law creating the county commissioners' court provided that it should have such an officer, and gave it the power to appoint him.⁸ This appointive power was rescinded in 1837 by an act which made the office elective.⁹

When the county court supplanted the county commissioners' court, the office of clerk of the latter body ceased to exist. A new office was created by statute, that of clerk of the county court.¹⁰ When the court sat for the transaction of county business, its clerk was in effect a clerk of a county board; legal recognition of this distinction was given in the provision that the clerk should keep his records of the court's administrative actions separate from those of its judicial actions. For this purpose two sets of books were to be kept.¹¹

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1. R.S. 1874, p. 306, 307.
 2. Ibid., p. 456, 468.
 3. Ibid., p. 630.
 4. Ibid., p. 310.
 5. Ibid., p. 757, 758.
 6. Ibid., p. 307.
 7. Ibid., p. 306, 307.
 8. L. 1819, p. 175.
 9. L. 1837, p. 49.
 10. L. 1849, p. 63.
 11. Ibid., p. 66.

In 1870 the new constitution established the office of county clerk;¹ subsequently, the General Assembly provided that the county clerk should² act as clerk of the county board³ as well as clerk of the county court. From that time to the present, the county board has been served in a ministerial capacity by this officer. The major record kept by the clerk for the county board is the minutes of its proceedings. This record includes orders to issue warrants on the county treasury; the board's action on roads and bridges, indigent and infirm relief, schools, taxation, committee reports, etc.; and its orders in regard to juries, licenses, and other matters within its jurisdiction.⁴

The clerk also keeps, separately, a register of orders issued on the county treasurer and lists of jury venire. He files and preserves all bills of accounts acted on by the board, and has custody of reports required to be made to the board by the county treasurer, various school bodies, and a number of other county officers.⁵ An obligation to preserve a multiplicity of other records is clearly set forth in the general provision requiring the clerk to have the care and custody of all papers appertaining to, as well as filed in his office.⁶

Proceedings of Board

1. (SUPERVISORS' AND COMMISSIONERS' FILES), 1839--. 139 f.b. Files of county board papers, including claims, 1839-88, 1891--, reports of county officers and board committees, county orders and warrants, resolutions, election expenses and appointments of clerks and judges of election, jury lists, blind and mother's pension applications, notices of special election, contracts, and reports on county home. Also contains County Highway - Motor Fuel Tax Claims, 1936--, entry 4. 1839-88, 1910-14, no obvious arr.; 1889-1909, arr. by date of filing; 1915--, arr. by date of instrument. No index. 1839-1905, hdw. and hdw. on pr. fm.; 1906--, hdw., hdw. on pr. fm., typed, and typed on pr. fm. 5 x 4 x 10 - 10 x 5 x 13. 90 f.b., 1839-1916, co. clk.'s strm., attic; 49 f.b., 1917--, co. clk.'s off., 1st fl.

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1. Const. 1870, Art. X, sec, 8,
 2. R.S. 1874, p. 322.
 3. Ibid., p. 260.
 4. L. 1819, p. 6, 28, 77, 127, 334, 335, 352; R.L. 1829, p. 151-53; L. 1831, p. 89, 90; L. 1835, p. 131, 132, 136; L. 1839, p. 71, 72; R.S. 1845, p. 287, 342, 403, 437; L. 1849, p. 66; L. 1861, p. 234-37; R.S. 1874, p. 322.
 5. R.L. 1827, p. 366; L. 1845, p. 169; R.S. 1845, p. 136; L. 1861, p. 237; R.S. 1874, p. 325.
 6. Ibid., p. 322.

2. SUPERVISORS' RECORD, 1839--. 9 v. (A-I). Title varies: County Commissioners' Record, v. A, B, 1839-58.

Record of proceedings of county board, showing date of meetings, roll call, minutes, business transacted, resolutions adopted, reports to board, action taken, and adjournment. This includes list of county orders and warrants; lists of appointments to various township offices; appointments of county veterinarian and probation officers; copies of contracts; list of awards for mothers' and blind pensions; and lists of fees allowed election officials. Also contains (Claim Record), 1874--, entry 3; Jury List, 1833-71, entry 24; Official Bond Record, 1934--, entry 70; Assessors' and Supervisors' of Assessments Bonds, 1860-98, entry 71; (Town) Collectors' Bond Record, 1859-68, entry 107. Arr. by date of meeting. 1839-95, indexed alph. by name of principal party or subject; 1896--, no index. 1839-1905, hdw.; 1906--, typed. 600 p. 18 x 13 x 3. V. A-F, 1839-1905, co. clk.'s strm., attic; v. G-I, 1906--, co. clk.'s vlt., 1st fl.

Disposition of Accounts

Bills and Claims

3. (CLAIM RECORD), 1839-73. 3 v. Missing; 1859-60. 1874-- in Supervisors' Record, entry 2.

Record of claims filed against county, showing name of claimant, nature and amount of claim, amount allowed, and date of board meeting. Arr. by date of board meeting. 1833-51, 1861-73, no index; 1852-58, indexed alph. by name of claimant. Hdw. 150 p. 12 x 8 x 1 1/2. Co. clk.'s strm., attic.

4. COUNTY HIGHWAY - MOTOR FUEL TAX CLAIMS, 1931-35. 3 f.b. 1936-- in (Supervisors' and Commissioners' Files), entry 1.

County highway claims against motor fuel tax fund, showing name of claimant, date, amount, and nature of claim, and date of filing. Arr. by date of filing. No index. Hdw. on pr. fm. and typed on pr. fm. 10 x 5 x 13. Co. clk.'s off., 1st fl.

Registers of County Orders (See also entry 2)

5. REGISTER OF COUNTY WARRANTS, 1920--. 3 v. (A, C, A). Title varies: Order Book, v. A, C, 1920-33.

County clerk's register of county orders and warrants, showing name of payee, purpose and amount of payment, warrant number, dates of issue and cancellation. Also contains Mothers' Aid and Blind Pension Warrant Register, 1920-34, entry 6. Arr. by warrant no. No index. Hdw. under pr. hdgs. 250 p. 18 x 13 x 3. V. A, C, 1920-33, co. clk.'s strm., attic; v. A, 1935--, co. clk.'s off., 1st fl.

6. MOTHERS' AID AND BLIND PENSION WARRANT REGISTER, 1935--. 1 v.

1920-34 in Register of County Warrants, entry 5.

Register of warrants for mothers' aid, 1936--, blind pension, 1935--, and tuberculosis sanitarium, 1937--, showing date of registration, order number, amount, and date of cancellation. Arr. by subject and warrant no. No index. Typed under pr. hdgs. 200 p. 14 x 12 x 1. Co. clk.'s off., 1st fl.

Cancelled County Orders (See
also entry 1)

7. COUNTY ORDERS CANCELLED, 1867--. 40 f.b. Missing: 1868-69,
1871-78, 1903-4, 1906-10, 1915-16.

Cancelled county orders and jury certificates, with monthly statement of county treasurer, showing order number, name of payee, purpose, amount, and date of payment, total amount for credit, signature of county treasurer, and date of filing. 1867-1914, no obvious arr.; 1917--, arr. by date of filing. No index. Hdw. on pr. fm., and typed under pr. hdgs. 5 $\frac{1}{2}$ x 4 $\frac{1}{2}$ x 10 - 11 x 5 x 14. 16 f.b., 1867-1914, co. clk.'s strm., attic; 24 f.b., 1915--, co. clk.'s off., 1st fl.

8. MOTHER'S PENSION; RELIEF TO BLIND STUBS, 1928--. 1 f.b.

Stubs of warrants issued for mothers' pension, showing warrant number, date and amount of payment, and name of payee; includes stubs of warrants issued for relief of blind, 1928-32. Arr. by warrant no. No index. Hdw. on pr. fm. 11 x 5 x 14. Co. clk.'s off., 1st fl.

9. COUNTY HIGHWAY CHECK STUBS, 1928--. 1 f.b.

Stubs of checks issued for expenses in county highway department, showing check number, name of payee, and date, amount, and purpose of payment. Arr. by check no. No index. Hdw. on pr. fm. 11 x 5 x 14. Co. clk.'s off., 1st fl.

10. MOTOR FUEL TAX CANCELLED CHECKS, 1934--. 1 f.b.

Cancelled checks issued by county clerk against motor fuel tax funds, showing check number, date, amount, and purpose of payment, name of payee, and date of cancellation. Arr. by date of cancellation. No index. Hdw. on pr. fm. 11 x 5 x 14. Co. clk.'s off., 1st fl.

11. MOTOR FUEL TAX CHECK STUBS, 1932-36. 1 f.b.

Stubs of checks issued against motor fuel tax fund, showing check number, amount, date, purpose of issue, and name of payee. Arr. by check no. No index. Hdw. on pr. fm. 11 x 5 x 14. Co. clk.'s off., 1st fl.

12. MOTHER'S PENSION RECORD, 1918--. 2 v. (A, B). 1915-17 in Probate
Journal, entry 156.

Record of mothers' pensions, showing name and address of mother, names, ages, and dates of birth of dependent children, amount awarded, dates of petition, application, and court order, date and amount of payment, and signature of payee as receipt; also contains blind pension record, 1929--. Arr. by date of order. Indexed alph. by name of mother. Hdw. under pr. hdgs. 150 p. 16 x 12 x 1. Co. clk.'s vlt., 1st fl.

Pension Funds and Applications (See
also entries 1,2,6,8)

13. REGISTER OF APPLICATION FOR BLIND RELIEF, 1915--. 1 v. (1).

Register of applications for blind relief, showing case number, name and address of applicant, names and addresses of persons making affidavit as to need of applicant, date and result of examination, amount of allotment, and remarks. Arr. by application no. Indexed alph. by name of applicant. Hdw. on pr. fm. 290 p. 14 x 10 x 2. Co. clk.'s vlt., 1st fl.

14. RECORD OF APPLICATION FOR BLIND RELIEF, 1915-22. 1 v.

Record of discontinued cases of blind relief, showing case number, names and addresses of applicant and persons making affidavit, dates of application, examination and return, results of examination, number and amount of warrant, name of payee, and cause of discontinuance. Arr. by date of application and case no. Indexed alph. by name of applicant. Hdw. on pr. fm. 290 p. 18 x 13 x 2. Co. clk.'s strm., attic.

Welfare Funds

15. HOSPITAL INMATES, 1886--. 3 v. (1-3).

Lists of patients in various state institutions for insane, deaf and dumb, blind, and feeble-minded, showing names of patient, and institution, date of admission, amount paid for support if not a county charge, to whom released, and dates of death and filing. Arr. by date of admission. Indexed alph. by name of patient. Hdw. under pr. hdgs. 15 x 14 x 2. V. 1, 1886-93, co. clk.'s strm., attic; v. 2, 3, 1894-- , co. clk.'s vlt., 1st fl.

16. TUBERCULOSIS ASSOCIATION, 1920-29. 1 f.b. Missing: 1930-37.

1938-- in (County Clerk's Miscellaneous Files), entry 79.

Orders of county tuberculosis sanitarium board to issue vouchers payable from tuberculosis fund, showing amount, name of payee, purpose of payment, date of issue, and signatures of president and secretary of board. Arr. by date of issue. No index. Typed on pr. fm. and hdw. on pr. fm. 11 x 5 x 14. Co. clk.'s off., 1st fl.

17. DE WITT COUNTY AID TO POOR, 1936-37. 1 f.b.

County clerk's files regarding county aid to poor, including special pauper tax levies, report on poor relief levies, summary of amounts certified, monthly estimate of relief needs, report on obligations incurred for relief needs, application for state relief funds, relief report of Illinois Emergency Relief Commission, and certification and allocation of relief funds. No obvious arr. No index. Typed, and typed on pr. fm., hdw. on pr. fm., and typed under pr. hdgs. 11 x 5 x 14. Co. clk.'s vlt., 1st fl.

County Board - Management of
County Properties and Roads;
Reports to Board

(18-23)

Management of County Properties and Roads

Bond Issues

18. CANCELLED BOND COUPONS, 1934--. 1 f.b.

Cancelled county refunding bonds and coupons, showing date and amount of bonds, dates of issue and cancellation, value of coupons, date of payment, name and address of bond subscriber, and date of filing. No obvious arr. No index. Typed on pr. fm. 11 x 5 x 14. Co. clk.'s vlt., 1st fl.

19. REGISTER SCHOOL DISTRICT BONDS, 1928--. 1 v. (1).

Clerk's register of school bonds, showing name of school district, number, date, amount, and purpose of bond, rate of interest, and dates of maturity and registration. Arr. by name of school district. No index. Hdw. under pr. hdgs. 101 p. 16 x 12 x 1. Co. clk.'s vlt., 1st fl.

20. PAID COUNTY COURT HOUSE CERTIFICATE, 1895-1900. 1 f.b.

Files of certificates issued upon building of court house, showing dates of issue and maturity, name of purchaser, amount of certificate, rate of interest, signatures of chairman of board of supervisors and county clerk, and dates of payments and cancellation. No obvious arr. No index. Hdw. on pr. fm. $4\frac{1}{2}$ x $5\frac{1}{2}$ x 10. Co. clk.'s strm., attic.

Insurance

21. INSURANCE POLICIES, 1867--. 2 f.b.

County clerk's files of insurance policies on county property, showing number, date, amount, and provisions of policy, and description of insured property. No obvious arr. No index. Hdw. on pr. fm. and typed on pr. fm. 11 x 5 x 14. Co. clk.'s vlt., 1st fl.

Reports to Board
(See also entries 1, 2)

22. BANK STATEMENTS, 1934--. 1 f.b.

Reports to county board of banks in which public moneys are deposited, showing name and location of bank, date of report, and amounts of assets and liabilities. No obvious arr. No index. Typed. 11 x 5 x 14. Co. clk.'s vlt., 1st fl.

23. (AUDITED REPORTS OF COUNTY CLERK), 1934--. 1 f.b.

Auditor's annual report of financial condition of county clerk's accounts, showing date, amount, source and purpose of receipts and expenditures, and total amounts of each fund, name of auditor, and date. Arr. by date of report. No index. Typed. $3\frac{1}{2}$ x $3\frac{1}{2}$ x 10. Co. clk.'s off., 1st fl.

Jury Lists
(See also entry 1)

24. JURY LIST, 1872--. 3 v. (1, 2, 2). 1839-71 in Supervisors' Record, entry 2.

List of jurors selected by county board for jury service, showing names of persons selected, and dates of drawing and court terms. Arr. by date of selection. No index. 1872-1930, hdw. on pr. fm.; 1931--, hdw. 300 p. 18 x 12 x 2. V. 1, 1872-1908, co. clk.'s strm., attic; v. 2, 2, 1909--, co. clk.'s vlt., 1st fl.

II. COUNTY CLERK

Forerunner of the present county clerk was the clerk of the county commissioners' court. This court was the administrative body¹ in De Witt County from 1839, the date of organization of the county, to 1849. The Constitution of 1848 and laws of 1849 created a new judicial branch of county government presided over by the county judge and entitled the "county court," and provided for the quadrennial election of a "clerk of the county court."² In addition to his duties as clerk of the judicial court, the incumbent was also to act as clerk of the administrative branch of government which consisted of the county judge and two justices of the peace.³ In 1858 De Witt County adopted the township form of government, necessitating the election of township supervisors to supplant the county court as the county administrative body;⁴ accordingly, the clerk of the county court became clerk, ex officio, of the board of supervisors.⁵

The above-mentioned clerks all performed the duties of county clerk as well as those of clerks of a judicial or administrative body. In fact, legislation frequently referred to these incumbents as "county clerk" when defining duties relating to county business as distinct from their duties in other capacities. The Constitution of 1870 specifically provided for a county clerk⁶ who has continued to act to the present in this capacity and also as clerk of the county board⁷ and clerk of the county court.⁸ The revised statutes of 1874 adopted the use of a distinction of titles for each of his ex officio duties, applying the title "county clerk" only when referring to his services as such.⁹ It is the performance of these duties that gives rise to the records dealt with in this section.

An act of 1837 required that the clerk of the county commissioners' court be elected.¹⁰ In 1839, the year De Witt County was organized, this officer was elected for a four-year term; a two-year term became effective in 1847.¹¹ A bond of \$1,000 was required.¹² The clerk of the county

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1. Const. 1818, Schedule, sec. 4; L. 1819, p. 175.
 2. Const. 1848, Art. V, sec. 16, 18, 19; L. 1849, p. 62, 63.
 3. Ibid., p. 65, 66.
 4. Const. 1848, Art. VII, sec. 6; L. 1851, p. 38, 50.
 5. L. 1851, p. 52; L. 1861, p. 237.
 6. Art. VI, sec. 18 and Art. X, sec. 8.
 7. R.S. 1874, p. 322.
 8. Ibid., p. 260.
 9. Ibid., p. 260, 322.
 10. L. 1837, p. 49.
 11. L. 1845, p. 28. Effective in 1847.
 12. L. 1819, p. 176, 177; R.L. 1833, p. 143; R.S. 1845, p. 131.

court served for a four-year term and was bonded in the sum of \$3,000.¹ The Constitution of 1870 and the revised statutes of 1874, establishing the office of county clerk, provided for his election for a quadrennial term, and that the amount of his bond be set by the county board.² The bond is entered upon the records of his office, and deposited with the clerk of the circuit court. He is required to take oath, and is commissioned by the Governor.³ The compensation of the county clerk is fixed by the county board within the limits set by the constitution. In counties the size of De Witt with a population of 18,244, the compensation of the county clerk is not to exceed \$1,500 a year.⁴ The county seal is kept by the clerk and is used by him when required.

In general, the county clerk's performance of his functions results in records relating to the following: taxation, vital statistics, licenses, and bonds. Various officials and agencies having authority over these matters report to, or deposit records with, the county clerk who in this manner acts as a coordinating factor in the execution of local and state affairs. In regard to other of these matters, the clerk is required to perform duties on his own behalf and retain the records resulting from such performance.

Illustrations of both of these procedures may be found by examining the various duties and records relating to taxation. The county clerk must procure all books and blanks used in the assessment and collection of taxes, and list in such books the lands and lots subject to taxation;⁵ they are then turned over to the supervisor of assessments who has the township assessors enter the valuations against each piece of property listed. The supervisor completes revisions and corrections upon complaint of property owners and returns the books in duplicate to the county clerk.⁶ Personal property assessments are handled in essentially the same manner. The board of review then makes adjustments on complaints and equalizes assessments between districts, certifying corrections and revisions to the county clerk.⁷ The county clerk then reports the entire assessment list to the

1. L. 1849, p. 63,64.

2. Const. 1870, Art. X, sec. 8; R.S. 1874, p. 321.

3. Ibid.

4. Const. 1870, Art. X, sec. 10.

5. L. 1867, p. 106; L. 1871-72, p. 19,20,32; L. 1903, p. 297. During the period of the first constitution such books and lists were prepared by the auditor of public accounts and turned over to the clerk of the county commissioners' court (L. 1825, p. 173; R.L. 1827, p. 329; L. 1839, p. 3,4; L. 1847, p. 79).

6. The treasurer became supervisor of assessments, ex officio, in 1898 (L. 1898, p. 36-44); for prior assessment officers in De Witt, see ch. X, Supervisor of Assessments.

7. L. 1898, p. 36-44.

County Clerk

State Tax Commission for equalization; the equalized list is afterwards used by the county clerk in ascertaining tax rates and extending taxes.¹

The State Tax Commission also certifies to the county clerk the assessments on the capital stock of corporations and railroad and telegraph companies, it being the duty of the clerk to extend these taxes and retain the books after use by the collector.²

The books are next turned over to the county collector who, after collection, returns lists of collections, together with lists of uncollected real and personal property taxes.³ The county clerk attends all tax sales, prepares a list of all sales and issues duplicate reports thereof, records affidavits of purchases of property for taxes, and keeps a record known as the "tax judgment, sale, redemption, and forfeiture record."⁴

An extensive group of records of vital statistics is kept by the county clerk, including records relating to births and deaths, marriages, physicians, and midwives. The first legislation in regard to the keeping of vital statistics was included in the act for the establishment of medical societies.⁵ One section of this act made it the duty of every physician to keep a record of births, deaths, and diseases occurring within the vicinity of his practice, and to transmit such record to his medical society, whereupon the record was to be published in the newspapers. In 1843 it was provided that a parent could appear before the clerk of the county commissioners' court and make affidavit as to the birth of a child and the eldest next of kin of a deceased person could similarly appear and make affidavit as to death.⁶ It is probable that the tenor of the above-mentioned laws explains the fact that no birth or death records existed in De Witt County prior to 1877, the first law, 1819, requiring no public record to be kept and that of 1843 providing that affidavits "may" be made. The act of 1877 creating the State Board of Health required that all births and deaths in the county be reported to the county clerk by the attending physicians or accouchers.⁷ Teeth were put into this and subsequent laws by providing penalties for noncompliance. In 1901, death certificates issued by physicians, midwives, or coroners were to be presented to town clerks who as the local registrars issued burial permits and forwarded the certificates to the county clerk.⁸ In 1903, certificates of death

1. L. 1919, p. 723.

2. L. 1871-72, p. 11,13,16; L. 1937, p. 1011,1012.

3. L. 1849, p. 124,125; L. 1871-72, p. 55; L. 1931, p. 759.

4. L. 1839, p. 15; L. 1871-72, p. 40; L. 1879, p. 250.

5. L. 1819, p. 233.

6. L. 1843, p. 210-12.

7. L. 1877, p. 209.

8. L. 1901, p. 302,303.

were to be directly turned over to the State Board of Health by every physician and midwife. The state board recorded these certificates and then delivered them to the county clerk.¹ Later it was provided that the township clerks could annually deposit with the county clerk a complete set of the records of births, stillbirths, and deaths registered with them. The county clerk was charged with binding and indexing, or recording, and safekeeping of such records.² From the earliest date, the legislation in regard to these matters provided that the clerk retain the abstracts and certificates, keep a record of births, and deaths, maintain alphabetical indexes, and issue certified copies of certificates upon request. The clerk has also been required to prepare a register of all physicians and accouchers in the county.³

Since the organization of De Witt County in 1839, the county clerk, or, at that time clerk of the county commissioners' court, has been required to file marriage certificates and certificates of parents' consent to the marriage of minors.⁴ The clerk was also required to keep a separate register of marriages in addition to his file of certificates.⁵ Before 1877, persons desiring to marry were required to secure licenses from the county clerk only when they had not previously published such intention, but in that year the securing of a license was made mandatory.⁶ Although a record of applications for marriage licenses has been kept by the clerk in this county since 1876, an act of 1937 appears to be the first legislation requiring the maintenance of such a record.⁷ The same act provides that persons desiring to marry shall present to the county clerk a certificate setting forth that such persons are free from venereal diseases, such certificates to be filed with the application for license to marry.⁸ Indexes to marriage records have been kept in De Witt County since its organization in 1839.

The county clerk is charged with a number of duties relating to elections: preparing and issuing blank ballots,⁹ poll books,¹⁰ and certificates of election,¹¹ and keeping a record of registers of election,¹²

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1. L. 1903, p. 315-18.
 2. L. 1915, p. 667.
 3. L. 1877, p. 209.
 4. L. 1819, p. 27; R.S. 1845, p. 354; R.S. 1874, p. 694.
 5. R.L. 1827, p. 289.
 6. L. 1877, p. 130.
 7. L. 1937, p. 909.
 8. Ibid., p. 910.
 9. L. 1891, p. 113; L. 1911, p. 311.
 10. L. 1871-72, p. 386.
 11. L. 1819, p. 96; L. 1821, p. 79; L. 1823, p. 64; L. 1885, p. 176.
 12. L. 1865, p. 59; L. 1871-72, p. 386.

petitions,¹ and marked ballots,² tally sheets,³ and election returns which are transmitted to him by the judges of election.⁴ Abstracts of returns were formerly prepared by the clerk, but these are now originated by the election commissioners or judges of election and deposited with the clerk. Returned ballots are destroyed by the clerk six months after election, provided no contest in which the ballots are needed is in progress.⁵ In 1889, when returns of elections for school trustees were made to the county clerk, he was charged with furnishing to the county superintendent of schools a list of all such trustees.⁶ Now the clerk does not enter into the procedure, the school trustees canvassing the returns and certifying directly to the superintendent of schools.⁷

The bonds of a number of officials are required to be transmitted to the clerk for filing and entering in a book maintained for that purpose.⁸ Justices' of the peace and constables' oaths, bonds, and securities are approved by the clerk and entered in a separate book in accordance with statutory requirement. This book shows the date on which each justice of the peace and constable was sworn into office and the date of commission by the Governor. Resignations from these office are made to the county clerk who enters such fact in the justices' and constables' record.⁹

The clerk is also charged with issuing licenses to taverns,¹⁰ ferries,¹¹ etc., and keeping records of the same. Other recordations made are: records relating to estrays;¹² registers of professionals, including physicians,¹³ midwives,¹⁴ dentists,¹⁵ chiropodists,¹⁶ and veterinarians;¹⁷ list of town officers which is furnished annually by the town clerk;¹⁸

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1. L. 1911, p. 310,311; L. 1929, p. 422.
 2. L. 1891, p. 118.
 3. L. 1885, p. 143.
 4. L. 1819, p. 86; L. 1821, p. 77; L. 1823, p. 64; L. 1871-72, p. 389.
 5. L. 1917, p. 444.
 6. L. 1889, p. 271,322.
 7. L. 1909, p. 352.
 8. R.S. 1845, p. 396,397; L. 1861, p. 237,238; R.S. 1874, p. 325; L. 1895, p. 188.
 9. Ibid.
 10. L. 1819, p. 77-79; L. 1933-34, Second Sp. Sess., p. 64-66.
 11. R.L. 1827, p. 221; R.S. 1874, p. 530.
 12. L. 1819, p. 206,207; R.S. 1874, p. 483.
 13. L. 1877, p. 209; L. 1899, p. 275; L. 1923, p. 441,442.
 14. Ibid.
 15. L. 1881, p. 79; L. 1899, p. 273; L. 1909, p. 279; L. 1933, p. 711.
 16. L. 1899, p. 280; L. 1935, p. 995.
 17. L. 1917, p. 591.
 18. L. 1861, p. 226; R.S. 1874, p. 1077.

record of notaries public;¹ and book of state civil service rules.² Referring to his list of town officers, the county clerk reports annually to the State Department of Public Health the names and addresses of the supervisor, assessor, and clerk of each township, and the dates of the expiration of their terms of office.³

Included in the provision that the county clerk be charged with the care and custody of all records, books, and papers appertaining to, and filed or deposited in, his office⁴ are those duties as clerk of the county board, wherein he is required to record the proceedings of the board and to file all their books, records, and accounts.⁵ Also included are his record-keeping duties, ex officio, as clerk of the county court, with its resulting duties in relation to probate matters.⁶ The clerk is also required to keep jury lists⁷ and a book in which he enters details as to orders upon the treasurer. He is further required to maintain alphabetical indexes of all records and papers in his office, and to supply copies of those records or papers to any person upon request and payment of the required fee.⁸

Taxation

(See also entries 79, 128, 273-290, 359, 361-368, 370, 371, 375)

Lists of Taxable Property, Levies

25. DOCKET OF AMOUNTS WANTED, 1877--. 2 v. (A, C). Missing: 1903-15. County clerk's docket of amounts wanted, showing name of township, state equalized value, railroad valuations, rate, total valuation, amount required, date of filing certificate, and year needed. Arr. by date of filing. Indexed alph. by name of twp. Hdw. under pr. hdgs. 288 p. 16 x 11 x 2. V. A, 1877-1902, co. clk.'s strm., attic; v. C, 1916--., co. clk.'s off., 1st fl.

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1. L. 1871-72, p. 575; R.S. 1874, p. 721; L. 1875, p. 88.
 2. L. 1905, p. 115.
 3. L. 1923, p. 480.
 4. R.S. 1874, p. 322.
 5. L. 1861, p. 239; R.S. 1874, p. 322.
 6. Ibid., p. 260.
 7. Ibid., p. 630.
 8. Ibid., p. 321.

26. TAX LEVIES, 1851--. 31 f.b. Missing: 1869-85, 1901-2, 1912-24. Files of documents concerning various tax levies on the real and personal property in each township, including levies for schools, roads, and bridges, city improvements, and delinquent road tax. These papers include lists of taxable real estate, showing description of lands, amount of tax, and dates of payments and filing. No obvious arr. No index. 1851-62, hdw.; 1863--, hdw. and typed on pr. fm., and hdw. under pr. hdgs. $5\frac{1}{2} \times 4\frac{1}{2} \times 10 - 11 \times 5 \times 14$. 28 f.b., 1851-68, 1886-1900, 1903--, co. clk.'s strm., attic; 3 f.b., 1925--, co. clk.'s off., 1st fl.

27. ASSESSOR'S BOOKS, 1839--. 1113 v. (De Witt County as a whole, 1839-59. 10 v. Missing: 1840-43, 1845, 1849-52, 1854, 1857, 1859.

Barnett Township, 1860--. 84 v. Missing: 1863-64.

Clintonia Township, 1860--. 107 v. Missing: 1864.

Creek Township, 1860--. 83 v. Missing: 1863, 1870.

De Witt Township, 1860--. 80 v. Missing: 1863, 1866, 1876, 1877, 1899.

Harp Township, 1860--. 82 v. Missing: 1862, 1866, 1877.

Nixon Township, 1860--. 83 v. Missing: 1863, 1870.

Rutledge Township, 1860--. 84 v. Missing: 1876.

Santa Anna Township, 1860--. 82 v. Missing: 1844, 1877.

Texas Township, 1860--. 84 v. Missing: 1880, 1890.

Tunbridge Township, 1860--. 84 v. Missing: 1866.

Wapella Township, 1860--. 85 v.

Waynesville Township, 1860--. 85 v.

Wilson Township, 1860--. 80 v. Missing: 1863, 1866, 1876-77, 1899).

Lists of taxable real estate and personal property, showing name of owner, description of property, assessed valuation, tax spread, and total amount of assessments. Real estate arr. by sec., twp., and range nos.; personal property arr. alph. by name of owner. No index. 1839-50, hdw.; 1851--, hdw. under pr. hdgs. 70 - 360 p. $12 \times 8 \times 1 - 18 \times 15 \times 2$. 1019 v., 1839-1936, co. clk.'s strm., attic; 94 v., 1935--, co. clk.'s off., 1st fl.

28. RAILROAD TAX BOOK (and Telephone and Telegraph), 1876--.

4 v. (1 not labeled, 4-6). Missing: 1895-1918.

Lists of taxable railroad and telegraph property, and telephone property subsequent to 1884, showing name of company, description of property, value of rolling stock and improvements, tax rate, total amount of tax, amount of payments, and year of assessment. Arr. by date of levy. No index. Hdw. under pr. hdgs. 160 p. $17 \times 14 \times 1\frac{1}{2}$. 1 v. not labeled, 1876-94, co. clk.'s strm., attic; v. 4-6, 1919--, co. clk.'s off., 1st fl.

29. ABSTRACT OF ASSESSMENTS, 1874--. 6 v. (4 not labeled, A, C).

Missing: 1916-21, 1927-34.

Statements of columnar footings of assessment books, showing full and assessed valuation and amount of taxes on lands and lots unimproved and improved lands. Arr. by date of levy. No index. Hdw. under pr. hdgs. 120 p. $17 \times 15 \times 1\frac{1}{2}$. 3 v. not labeled, v. A, 1874-1915, co. clk.'s strm., attic; v. C, 1 not labeled, 1916--, co. clk.'s off., 1st fl.

30. (ABSTRACT OF LANDS - MARKS AND BRANDS), 1829-39, 1846-82. 1 v. Transcript from Macon County records of list of lands formerly in Macon County now lying in De Witt, subject to taxation, 1829-39, showing date, name of owner, legal description of property, acreage, and value of land; latter part of volume contains record of marks and brands, 1846-82, showing description of mark or brand, and date of registration. Arr. by date of transcript. No index. Hdw. Volume in poor condition. 75 p. 14 x 9 x 1. Co. clk.'s strm., attic.

31. COLLECTOR'S BOOK (Tax List), 1848-57. 3 v. Missing: 1849-54. Title varies: Lands Listed for Taxation, 1 v., 1848; Assessors' Lands & Lots, 1 v., 1855-56.

Original listing of lands listed for taxation, showing names of owner, location and legal description of lands, number of acres, total value, amount of state, county, and road tax, and dates. Volume for 1848 shows name of patentee and date of entry; volume for 1857 includes amount of school tax and list of personal property. Arr. by sec., twp., and range nos. No index. 1848, hdw.; 1855-57, hdw. under pr. hdgs. 300 p. 14 x 9 x 1½. Co. clk.'s strm., attic.

Collection,
Abatement

32. COLLECTOR'S BOOKS, 1848--. 728 v. (De Witt County as a whole, 1848-57, 1904, 1914--. 62 v. Missing: 1850-56, 1858-60. Barnett Township, 1861-1903, 1905-13. 51 v. Missing: 1881. Clintonia Township, 1861-1903, 1905-13. 52 v. Creek Township, 1861-1903, 1905-13. 50 v. Missing: 1861, 1870. De Witt Township, 1861-1903, 1905-13. 52 v. Harp Township, 1861-1903, 1905-13. 51 v. Missing: 1874. Nixon Township, 1861-1903, 1905-13. 52 v. Rutledge Township, 1861-1903, 1905-13. 51 v. Missing: 1872. Santa Anna Township, 1861-1903, 1905-13. 51 v. Missing: 1873. Texas Township, 1861-1903, 1905-13. 50 v. Missing: 1871. Tunbridge Township, 1861-1903, 1905-13. 51 v. Missing: 1882. Wapella Township, 1861-1903, 1905-13. 51 v. Missing: 1862. Waynesville Township, 1861-1903, 1905-13. 52 v. Wilson Township, 1861-1903, 1905-13. 52 v.).

Lists of taxable real estate and personal property, showing name of owner, description and value of property, amount of taxes, name of payer, and date of payment. In 1904, and 1914--, the township books are combined in two volumes for each year. Also contains Abatement Record, 1841-1935, entry 287. Real estate arr. by sec., twp., and range nos.; personal property arr. alph. by name of owner. No index. 1848-49, hdw.; 1857--, hdw. under pr. hdgs. 90 - 400 p. 15 x 10 x 2 - 18 x 15 x ½. 672 v., 1848-1913, co. clk.'s strm., attic; 50 v., 1914-36, co. clk.'s off., 1st fl.; 6 v., 1937--, treas.'s vlt., 1st fl.

33. DELINQUENT LIST, 1864-1917. 45 v. 1841-59 in Record (Lands Sold for Taxes), entry 41; 1860-63 in Tax Judgment Record, entry 37; 1918-- in Tax Judgment, Sale, Redemption and Forfeiture Record, entry 35.

Lists of delinquent taxes on real estate and personal property, showing name and address of owner, description of property, amounts of delinquent tax, costs and interest, name and number of township, and date of payment. Arr. by name of twp. No index. Hdw. under pr. hdgs. 225 p. 18 x 14 x 2 $\frac{1}{2}$. Co. clk.'s strm., attic.

Judgment, Sale,
Redemption, Forfeiture

34. INDEX TO TAX SALES, 1845--. 2 v. (A, B).

Index to Tax Judgment, Sales, Redemption and Forfeiture Record, entry 35; Sale and Redemption Record, entry 36; Tax Judgment Record, entry 37; Tax Sale Record, entry 40; and Record (Lands Sold for Taxes), entry 41; showing section, township, and range numbers, description of land, year, and book and page of entry. Arr. by sec., twp., and range nos. Hdw. under pr. hdgs. 630 p. 18 x 13 x 3. Co. clk.'s vlt., 1st fl.

35. TAX JUDGMENT, SALE, REDEMPTION AND FORFEITURE RECORD, 1880--. 12 v. (D-M, 1 not labeled, O).

Record of tax judgments, sales, redemptions and forfeitures, showing names of owner and redeemer or purchaser, legal description and value of property, amounts of taxes, costs, and penalties due, dates of judgment, sale, redemption, and tax deed, and certification by county clerk. Also contains Delinquent List, 1918--, entry 33. Sale and Redemption Record, entry 36; Tax Judgment Record, entry 37; Tax Sale Record, entry 40; Record (Lands Sold for Taxes), entry 41, previously kept separately. Arr. by date of judgment. For index, see entry 34. 1880-1933, hdw. under pr. hdgs.; 1934--, typed under pr. hdgs., and hdw. under pr. hdgs. 250 p. 18 x 13 x 3. Co. clk.'s vlt., 1st fl.

36. SALE AND REDEMPTION RECORD, 1877-79. 1 v. 1880-- in Tax Judgment, Sale, Redemption and Forfeiture Record, entry 35.

Record of judgment and sale of lands for taxes, showing name of owner, location and legal description of land, tax year due, amount of judgment and costs, amount and date of sale, name of purchaser or redeemer, and total amount of redemption. Also contains Tax Sale Record, 1877-79, entry 40. Arr. by date of sale. For index, see entry 34. Hdw. under pr. hdgs. 320 p. 18 x 13 x 3. Co. clk.'s vlt., 1st fl.

37. TAX JUDGMENT RECORD, 1860-79. 4 v. (1 not labeled, A-C).

Title varies: Judgment Book, 1 v., 1860-61. 1880-- in Tax Judgment, Sale, Redemption and Forfeiture Record, entry 35.

Record of tax judgments on delinquent lands and lots, showing date, legal description of property, amounts of delinquency and interest, total amount due, and petition for judgment. Also contains Delinquent List, 1860-63, entry 33; Sale and Redemption Record, 1860-76, entry 36; Tax Sale Record, 1860-61, entry 40; Record (Lands Sold for Taxes), 1860-79, entry 41. Arr. by date of judgment. For index, see entry 34. Hdw. under pr. hdgs. 250 p. 18 x 13 x 2. Co. clk.'s vlt., 1st fl.

38. AFFIDAVIT FOR TAX DEED, 1873---. 2 v.

Copies of affidavits for tax deeds, showing date, amount and places of sale, names of purchaser and owner, legal description of property, total tax, interest, and costs, and signatures of treasurer, county clerk, and sheriff. Arr. by date of sale. Indexed alph. by name of purchaser. 1873, hdw. on pr. fm.; 1874---, hdw. and typed on pr. fm. 284 - 500 p. 18 x 12 x 2 - 18 x 12 x 3. Co. clk.'s vlt., 1st fl.

39. TAX SALE CERTIFICATE OF PURCHASE, 1909-14. 2 f.b. 1843-1908, 1915-30 in (Common Law and Probate Files), entry 119; 1931--- in Liquor Bonds, Miscellaneous Certificates, entry 65.

Certificates of tax sale purchase, showing date, name of purchaser, legal description of property, total amount of delinquent taxes, special assessments, interest, penalties and costs, date and amount of sale, and signatures of county collector and county clerk. No obvious arr. No index. Hdw. on pr. fm. and typed on pr. fm. 5 $\frac{1}{2}$ x 3 $\frac{1}{2}$ x 10. Co. clk.'s strm., attic.

40. TAX SALE RECORD, 1862-76. 2 v. (A, B). 1877-79 in Sale and Redemption Record, entry 36; 1880--- in Tax Judgment, Sale, Redemption and Forfeiture Record, entry 35.

Record of lands and lots sold for taxes and costs, showing name of owner, legal description of property, acreage, date and amount of sale, and remarks. Arr. by date of sale. For index, see entry 34. Hdw. under pr. hdgs. 250 p. 18 x 14 x 2. Co. clk.'s vlt., 1st fl.

41. RECORD (Lands Sold for Taxes), 1841-59. 3 v. Title varies: Tax Sale Records, 1 v., 1845-51. 1860-79 in Tax Judgment Record, entry 37; 1880--- in Tax Judgment, Sale, Redemption and Forfeiture Record, entry 35.

Lists of lands and town lots sold by state for taxes, showing names of owner, purchaser, or redeemer, legal description and valuation of property, amount of tax and costs, and dates and amounts of sale, or redemption. Also contains Delinquent List, 1841-59, entry 33. Arr. by date of sale. 1841-44, no index; for index, 1845-59, see entry 34. Hdw. 200 p. 13 x 8 x $\frac{1}{2}$. 1 v., 1841-49, co. clk.'s vlt., 1st fl.; 2 v., 1845-59, co. clk.'s strm., attic.

Vital Statistics

Births

42. INDEX TO BIRTH REGISTER, 1877---. 1 v.

Index to Birth Reports (Certificates), 1916---, entry 43, and Birth Register, 1877-1920, entry 44, showing name of child, date of birth, certificate number, and book and page of entry. Arr. alph. by name of child. Typed under pr. hdgs. 400 p. 14 x 12 x 2 $\frac{1}{2}$. Co. clk.'s vlt., 1st fl.

County Clerk - Vital
Statistics

43. BIRTH REPORTS (Certificates), 1916--. 11 v. (1-5, 1916-26; A-F, 1927--).

Copies of birth certificates, showing date and number of certificate, name, sex, and color of child, date and place of birth, names and occupations of parents, signature of attending physician or midwife, and date of filing. 1916-25, arr. alph. by name of child; 1926--, arr. by date of filing. For index, see entry 42. Hdw. and typed on pr. fm. 440 - 600 p. 18 x 14 x 2 - 8 x 8 x 3. Co. clk.'s vlt., 1st fl.

44. BIRTH REGISTER, 1877-1926. 5 v. (1-5).

Register of births, showing certificate number, name, sex, and color or race of child, date and place of birth, names, residence, occupation and nationality of parents, date of return, name and address of medical attendant, signature of county clerk, and date of filing. 1877-1919, arr. by certificate no.; 1920-26, arr. by date of filing. For index, 1877-1920, see entry 42; 1921-26, no index. 1877-1920, hdw. under pr. hdgs.; 1921-26, hdw. on pr. fm. 440 p. 18 x 14 x 2. Co. clk.'s vlt., 1st fl.

Deaths and
Stillbirths

45. DEATH INDEX REGISTER, 1878--. 1 v.

Index to Death and Stillbirth Reports, 1926--, entry 46, and Death Register, 1878-1926, entry 47, showing name of deceased, date of death, and book and page of record. Arr. alph. by name of deceased. Hdw. under pr. hdgs. 200 p. 14 x 12 x 2. Co. clk.'s vlt., 1st fl.

46. DEATH AND STILLBIRTH REPORTS, 1916--. 8 v. (1-3, 1916-25; A-E, 1926--).

Copies of death and stillbirth certificates, showing date and number of certificate, name of deceased, date, place, and cause of death or stillbirth, date and place of burial, personal and occupational statistics, signatures of attending physician, undertaker, and county clerk, and date of filing. 1916-25, arr. alph. by name of deceased; 1926--, arr. by certificate number. 1916-25, no index; for index, 1926--, see entry 45. Hdw. and typed on pr. fm. 550 p. 8 x 8 x 3. Co. clk.'s vlt., 1st fl.

47. DEATH REGISTER, 1878-1926. 3 v. (1-3).

Register of deaths and stillbirths, showing certificate number, names of deceased, physician, and undertaker, date, place, and cause of death, personal and occupational particulars, place of burial, and signature of county clerk. 1878-1915, arr. by date of death; 1916-26, arr. alph. by name of deceased. For index, see entry 45. 1878-1915, hdw. under pr. hdgs.; 1916--, hdw. on pr. fm. 640 p. 18 x 13 x 3. Co. clk.'s vlt., 1st fl.

48. VETERANS' DEATH RECORD, 1935--. 1 v.

Record of certificates of death of United States war veterans, showing name, age, and address at time of death, marital status, birthplace, enlistment and service record, cause and date of death, date and place of burial, and names and addresses of informant and undertaker. Arr. alph. by name of veteran. No index. Typed and hdw. on pr. fm. 30 p. 9 x 11 x 1 $\frac{1}{2}$. Co. clk.'s vlt., 1st fl.

Marriages

49. APPLICATION MARRIAGE LICENSE, 1876—. 22 v. (5 not labeled, 7-23). Record of applications for marriage licenses, showing names, ages, and residences of applicants, relationship, date and number of applications, signatures of applicants, and date of issue. Arr. by certificate no. No index. Hdw. on pr. fm. 470 p. 16 x 12 x 2. 5 v. not labeled, v. 7-19, 1876-1930, co. clk.'s strm., attic; v. 20-22, 1931-37, co. clk.'s vlt., 1st fl.; v. 23, 1938—, co. clk.'s off., 1st fl.

50. MARRIAGE LICENSES, 1839—. 22 f.b. Marriage license returns showing date of return, date and place of marriage, names of bride, groom, witnesses, and county clerk, name and title of person performing ceremony, and personal statistics. Arr. by date of return. No index. 1839-55, hdw.; 1856—, hdw. on pr. fm. 10 x 5 x 13. Co. clk.'s off., 1st fl.

51. MARRIAGE REGISTER, 1839—. 6 v. (A-E). Title varies: Marriage Record, 4 v., A-D, 1839-1901. Register of marriages, showing date and number of license, names, ages, and residences of bride and groom, date and place of marriage, names of witnesses and person performing ceremony, by whom certified, and date of return. 1839-63, arr. by date of entry; 1864—, arr. by license no. For index, see entry 52. 1839-55, hdw.; 1856—, hdw. under pr. hdgs. 200 - 320 p. 12 x 8 x 1 - 18 x 13 x 3. Co. clk.'s vlt., 1st fl.

52. INDEX TO MARRIAGE RECORD, 1839—. 3 v. (A-C). Index to Marriage Register, entry 51, showing names of bride and groom, and book and page of entry. Arr. alph. by names of male and female. Typed under pr. hdgs. 300 p. 16 x 12 x 2. Co. clk.'s vlt., 1st fl.

Census

53. COMPENDIUM OF THE ENUMERATION OF THE INHABITANTS AND STATISTICS OF THE UNITED STATES, 1840. 1 v. Copy obtained from the department of state of the sixth census returns, showing population of states, number of white males and females, number of slave males and females, counties, principal towns, recapitulation of the aggregate value and produce, and number of persons employed in mines, agriculture, commerce, manufacturing, and other occupations. Arr. geographically. No index. Printed. 380 p. 15 x 10 x 1. Co. clk.'s strm., attic.

Licenses and Registers

Register of
Officers

54. REGISTER OF COUNTY COMMISSIONERS, 1839-59. 1 v. Register of county commissioners, showing names and addresses of commissioners, and date of service. Arr. by date of service. No index. Hdw. 250 p. 15 x 9 x 1 $\frac{1}{2}$. Co. clk.'s strm., attic.

55. RECORD OF TOWNSHIP OFFICERS, 1874-1916. 3 v. Title varies:
List of Township Officers, 1 v., 1874-95; Journal, 1 v., 1896-1915.

Register of township officers, showing name and address of officer, title of office, dates of election, and expiration of term. Arr. by date of election. No index. 1874-95, hdw.; 1896--, hdw. on pr. fm. 350 p. 15 x 10 x $1\frac{1}{2}$. 2 v., 1874-1915, co. clk.'s strm., attic; 1 v., 1916, co. clk.'s vlt., 1st fl.

Professional Licenses
and Registers

56. RECORD OF PHYSICIANS' CERTIFICATES, 1877--. 1 v. (1).

Copies of physicians' certificates, showing name of applicant, date and school of graduation, signatures of members of examining board, certificate number, and dates of certificate and filing. Arr. by date of filing. Indexed alph. by name of physician. Hdw. on pr. fm. 430 p. 18 x 13 x $2\frac{1}{2}$. Co. clk.'s vlt., 1st fl.

57. PHYSICIANS' AND ACCOUCHEURS' REGISTER, 1877--. 1 v.

Register of physicians and accoucheurs, showing name and address of physician, date of registration, school of practice, age, nativity and years of practice in State of Illinois, total years of practice, date and nature of certificate, and dates of receipt and filing; also contains certificates of homeopaths, 1877; of midwives, 1878-79; of dentists, 1888; of veterinarians, 1899-1925; of osteopaths, 1904--; of chiropractors, 1910--. Arr. alph. by name of applicant. No index. Hdw. under pr. hdgs. 160 p. 18 x 13 x $1\frac{1}{2}$. Co. clk.'s vlt., 1st fl.

58. REGISTER OF PHYSICIANS, DENTIST CERTIFICATES, 1911--. 1 v.
(2).

Copies of certificates of physicians and surgeons, 1919--, dentists, 1911, osteopaths, 1918--, and chiropodists, 1938--, showing certificate number, name of professional, date of issue, signatures of superintendent of registration and county clerk, and date of filing. Arr. by date of filing. Indexed alph. by name of applicant. Hdw. on pr. fm. 232 p. 18 x 13 x $1\frac{1}{2}$. Co. clk.'s vlt., 1st fl.

59. ARCHITECTS' RECORD, 1897--. 1 v. (1). Last entry 1912.

Copies of architects' licenses, showing name of applicant, date, document number, seal of examiners, renewal notice, fee, and affidavits with signatures of secretary of state, president of state board of examiners, and county clerk, and date of filing. Arr. by date of filing. Indexed alph. by name of architect. Hdw. on pr. fm. 144 p. 16 x 11 x 1. Co. clk.'s vlt., 1st fl.

Patents (See also
entry 79[xxxii])

60. PATENT RECORD, 1868-71. 1 v. Subsequent record filed with Commissioner of Patents, Washington, D.C.
Copies of certificates of patents, showing name and address of patentee, description of article patented, amount of fee, life of patent, date of certificate, signatures of secretary of interior and commissioner of patents, and date of filing. Arr. by date of filing. No index. Hdw. on pr. fm. 400 p. 18 x 12 x 2. Co. clk.'s vlt., 1st fl.

Militia Roll (See also
entry 79[xxviii])

61. MILITIA ROLL RECORD, 1861-62. 1 v.
List of all persons subject to military duty, showing names of first volunteers and reserves, name of township, and date and by whom certified. Arr. by name of twp. No index. Hdw. under pr. hdgs. 500 p. 16 x 12 x 2. Co. clk.'s vlt., 1st fl.

E trays (See also
entry 79[xxix])

62. (ESTRAY NOTICES), 1854-63. 1 f.b.
Notices of strayed animals issued by justice of the peace, showing description of animal, date and by whom picked up, names of appraisers and justice, appraised value, and date of appraisement. No obvious arr. No index. Hdw. and hdw. on pr. fm. $5\frac{1}{2}$ x $4\frac{1}{2}$ x 10. Co. clk.'s vlt., 1st fl.

63. ESTRAY RECORD, 1839---. 3 v. Missing: 1862-70. Last entry 1918.
Record of stray animals, showing description of animal, date, and by whom picked up, appraised value, notice of publication, names of appraiser and justice of the peace, and date of appraisal. Arr. by date of appraisal. No index. 1839-61, hdw.; 1871---, printed. 25 - 400 p. 8 x 7 x $\frac{1}{2}$ - 14 x 9 x 2. Volume in poor condition. Co. clk.'s strm., attic.

Dog Licenses

64. (DOG LICENSES RECEIPTS), 1935---. 2 f.b.
Dog licenses and tags issued to township assessors, showing license number, to whom issued, description and number of dogs, date and amount of payment, and certification of township assessor that metallic tag and license bear same numbers. Arr. by name of twp. and by license no. No index. Hdw. on pr. fm. 8 x 10 x 14. Co. clk.'s off., 1st fl.

Liquor Licenses and
Miscellaneous Certificates

65. LIQUOR BONDS, MISCELLANEOUS CERTIFICATES, 1931--. 1 f.b.

Miscellaneous papers including:

- i. Applications and bonds for sale of liquor, 1931-34, 1938, showing name, address and prior occupation of applicant, date and place of birth, location and description of place of business, affidavit of applicant, date and amount of bond, names of sureties, and dates of application and filing.
- ii. Articles of Association of Santa Anna Township Protective Association, 1937, showing date of organization, and names and addresses of members.
- iii. Lease for property to be used for Clintonia Township community garden, 1934, showing location and legal description of property, date and terms of lease, and signatures of lessor and township supervisor.
- iv. Property transferred to county for charitable purposes, 1933, showing location and legal description of property, length of time granted, affidavit of grantor, and date of transfer.

Also contains Tax Sale Certificate of Purchase, 1931--, entry 39. No obvious arr. No index. Hdw. and typed on pr. fm. 11 x 5 x 14. Co. clk.'s vlt., 1st fl.

Elections

(See also entry 79[xviii])

66. (COUNTY CLERK'S RECEIPTS FOR BALLOTS), 1938--. 1 v.

Receipts for ballots issued to judges of election, showing number of ballots, names of judge and county clerk, and date of issue. No obvious arr. No index. Hdw. on pr. fm. 50 p. 4 x 9 x 1/2. Co. clk.'s off., 1st fl.

67. (POLL BOOKS AND TALLY SHEETS), 1938. 21 ballot cases.

Township poll books and tally lists, including abstract of votes, showing name of candidate, title of office, number of votes cast for each candidate, place and date of election, affidavit of election judges, and date of filing. No obvious arr. No index. Hdw. on pr. fm. and hdw. under pr. hdgs. 30 x 8 x 16. Co. clk.'s strm., 1st fl.

Bonds of Officers

(See also entry 79[ix])

68. OFFICIAL BONDS AND OATHS - TOWNSHIP OFFICERS, 1923--. 2 f.b.

Bonds and oaths of township officers and miscellaneous papers, including assessors' bonds, 1932-34, 1937--; justices' bonds, 1931, 1933--; police magistrates' bonds, 1937--; constables' bonds, 1933--; supervisors' bonds, 1931--; bonds of Clinton City officials, 1923--; bonds of treasurer of road and bridge fund, 1930-31, 1934--; bond of trustee of Rock Creek Cemetery,

1933; bond of trustee of Clinton sanitary district, 1925-26; lists of township officers elected, 1930--; agreement between board of supervisors and overseer of poor, 1930; and township supervisors' election certificates, 1937--. No obvious arr. No index. Typed on pr. fm. and hdw. on pr. fm. 11 x 5 x 14. Co. clk.'s vlt., 1st fl.

69. OFFICIAL BONDS AND OATHS, COUNTY OFFICERS, 1926--. 1 f.b. County officers' official bonds and oaths, appointments of board of review, 1926--, and oaths of members of board of review, 1927--, showing names of officer and sureties, description and amount of bond, approval of county judge and county board, certification by county clerk, date and amount of bond, and dates of oath and filing. No obvious arr. No index. Hdw. on pr. fm. and typed on pr. fm. 11 x 5 x 14. Co. clk.'s vlt., 1st fl.

70. OFFICIAL BOND RECORD, 1934--. 1 v. 1839-1933 in Supervisors' Record, entry 2. Copies of bonds of ex officio treasurer of road and bridge fund, city commissioner, county clerk, deputy county clerk, sheriff, county treasurer, county collector, circuit clerk-recorder, state's attorney, coroner, and superintendent of schools, showing name of official, sureties, provisions and amount of bond, affidavit of official and sureties, and dates of bond, affidavit, and approval. Also contains Assessors' and Supervisors' of Assessments Bonds, 1934--, entry 71, and Justice's and Constable's Official Bond (and Police Magistrate), 1934--, entry 72. Arr. by date of bond. Indexed alph. by name of principal. Typed on pr. fm. 100 p. 14 $\frac{1}{2}$ x 13 x 1 $\frac{1}{2}$. Co. clk.'s vlt., 1st fl.

71. ASSESSORS' AND SUPERVISORS' OF ASSESSMENTS BONDS, 1899-1933. 1 v. (A). 1860-98 in Supervisors' Record, entry 2; 1934-- in Official Bond Record, entry 70. Bond record of assessors and supervisors of assessments, showing date, names of principal, sureties, and witnesses, amount and terms of bond, and date of filing. Arr. by date of filing. Indexed alph. by name of principal. Hdw. on pr. fm. 200 p. 16 x 14 x 1 $\frac{1}{2}$. Co. clk.'s strm., attic.

72. JUSTICE'S AND CONSTABLE'S OFFICIAL BOND (and Police Magistrate), 1877-1933. 1 v. (B). 1934-- in Official Bond Record, entry 70. Copies of constables', justices', and police magistrates' bonds, including bond of mayor of Clinton, 1877, Clinton chief of police, 1907, showing names of official, sureties and county clerk, amount of bond, affidavit of sureties and official, and dates of bond, affidavit and filing. Arr. by date of filing. Indexed alph. by name of principal. Hdw. on pr. fm. 600 p. 18 x 13 x 3. Co. clk.'s vlt., 1st fl.

Fees, Receipts and Expenditures

73. GENERAL COUNTY CHECK STUBS, 1929--. 1 f.b. Stubs of checks issued by county clerk against general fund, showing check number, name of payee, date, amount, and purpose of payment. Arr. by check no. No index. Hdw. on pr. fm. 11 x 5 x 14. Co. clk.'s off., 1st fl.

74. COUNTY CLERK'S ACCOUNT WITH REGISTRARS OF BIRTHS AND DEATHS, 1902--. 2 v. (A, 1). Missing: 1917. Title varies: Account Record Births and Deaths, v. A, 1902-16.

Record of accounts with registrars for birth and death reports, showing name and address of registrar, district number, number of births, stillbirths, and deaths, reported date of filing, and amount of fee. Arr. by date of filing. Indexed alph. by name of registrar. Hdw. on pr. fm. 320 p. 18 x 14 x 1 $\frac{1}{2}$. V. A, 1902-16, co. clk.'s strm., attic; v. 1, 1917--, co. clk.'s vlt., 1st fl.

75. (CASH DISBURSEMENTS - COUNTY CLERK), 1931--. 1 v.

County clerk's record of cash disbursements, showing name of payee, purpose and amount of disbursements, check numbers, and date of payment. Arr. by date of payment. No index. Hdw. under pr. hdgs. 250 p. 19 x 13 x 3. Co. clk.'s off., 1st fl.

76. (CASH RECEIPTS - COUNTY CLERK), 1931--. 1 v.

County clerk's record of cash receipts, showing name of payer, date, and amount of receipts, allotment, and book and page of entry. Arr. by date of receipt. No index. Hdw. under pr. hdgs. 250 p. 19 x 13 x 3. Co. clk.'s off., 1st fl.

77. (COUNTY CLERK'S FUND ACCOUNT), 1931-35. 1 v.

County clerk's records of receipts and expenditures, showing date, amount, and purpose of receipts and disbursements, warrant number, and dates of issue and cancellation. Arr. by warrant no. No index. Typed under pr. hdgs. 150 p. 12 x 17 x 1 $\frac{1}{2}$. Co. clk.'s vlt., 1st fl.

78. RECEIPTS (Register of Fees), 1874-95. 1 v.

County clerk's register of fees, showing name of payer, date, amount and type of fee, items of expense, monthly recapitulation, affidavit of county clerk, and treasurer's receipt. Arr. by date of receipt. No index. Hdw. under pr. hdgs. 300 p. 16 x 14 x 2. Co. clk.'s strm., attic.

Miscellaneous Files

79. (COUNTY CLERK'S MISCELLANEOUS FILES), 1839--. 85 f.b.

Miscellaneous papers filed in the county clerk's office including:

- i. Affidavit of citizens to form Clinton Homestead and Building Association, 1872, showing purposes of association, names of members, and dates of organization and filing.
- ii. Affidavit of insolvency, 1850-59, showing names of plaintiff and defendant, description of property, valuation, amount of judgment, signature of county clerk, and date of filing.
- iii. Affidavit of superintendent of Illinois School for Deaf as to correctness of accounts of pupils attending, 1905, showing itemized list of expenses, names of pupil and superintendent, amount due, and dates of affidavit and filing.
- iv. Affidavit to take census, 1865, showing name and address of person appointed, certification of county clerk, and dates of affidavit and filing.

- v. Affidavits for tax deeds, 1850-51, 1853-55, 1857-58, 1864, 1866-67, 1871, 1874-77, 1879-85, 1887-1901, showing date, amount and place of sale, names of purchaser and owner, description of property, total tax, interest and costs, and signatures of treasurer, county clerk, and sheriff.
- vi. Applications for hunting licenses, 1906-12, 1914-16, 1919, showing name, address, age, occupation, and physical description of applicant, certification of county clerk, and dates of certification and filing.
- vii. Applications filed in county court for mothers' pensions, 1919-20, 1922, 1924, showing name and address of mother, names and ages of children, affidavit of petitioner, court decree allowing pension, amount allowed, and date of payment.
- viii. Appointments of deputy sheriffs, 1876-1926, showing names of sheriff and deputy, oath of deputy, dates of appointment and filing, and signatures of clerk and deputy sheriff.
- ix. Bonds and oaths of various county officials including: clerk, sheriffs, and circuit clerks, 1880-94; town treasurers, 1914-19, 1923-26, 1928-29; school treasurers, 1840-50, 1853-54, 1857; township assessors, 1899-1919, 1926-31; constables, 1839-1932; justices of the peace, 1839-1930, 1932; police magistrates, 1898-1932; and township collectors, 1859-68, 1872-93, 1899, 1901, 1908, 1910, showing names of principal and sureties, date, amount, and provisions of bond, affidavit of county clerk and sureties, and date of filing.
- x. Cancelled county orders, 1874, 1839-1902, 1905, showing name of payee and date and amount of order.
- xi. Certificate of final statement of auditor for receipt of taxes by county collector, 1937, showing date of certificate, amount of taxes, and signature of auditor.
- xii. Certificates of widows' pensions, 1890, 1892-94, 1898, 1902, 1904, 1907-8, 1911, showing names of soldier and widow, branch of service, amount of pension, signatures of secretary and commissioner, and date of payment.
- xiii. Claims filed against county, 1879, 1886, 1901-2, 1907, including claims for bounty paid for wolf scalps, 1839-40, 1861-68, 1880, 1883, showing name of person filing claim, date, amount and nature of claim, and certification of county clerk.
- xiv. Criminal papers, 1877, 1899, 1900, 1903, 1907-12, 1914-18, 1922, including summonses, subpoenas, capias, affidavits, warrants, pleas, writs, indictments, waivers, depositions, commitments, recognizance and appeal bonds, verdicts, and court decrees.
- xv. Commissioners' and supervisors' files, 1839-1926, including reports of county officers and board committees, bills and claims against county, resolutions of committees, reports on county home, relief of blind, and approval of mothers' pensions.
- xvi. Common law papers, 1876, 1895, 1898-1900, 1902-3, 1905, 1907, 1911, 1916-20, 1922, 1928, including pleas, summonses, warrants, writs, depositions, motions, executions, judgments, transcripts from justice court, appeals, verdicts, and court orders and decrees.

- xvii. Documents unclaimed, including deeds, mortgages, chattel mortgages, and releases, 1839-79, showing type of instrument, names of grantor and grantee, description of property, consideration, and dates of issue and filing.
- xviii. Election papers including: receipts for ballots issued to judges of election, 1915; poll books and tally sheets for townships, 1839-87, 1890-92, 1894-1914; notice of special election, 1880; orders for special elections, 1882, 1914; election certificates, 1869, 1900, 1903-5, 1912-14; notices of candidates' withdrawals, 1938; notices of appointments of judges and clerks of election, 1910, 1914-15, 1917, 1927; lists of township officers elected, 1840-1929; and abstracts of votes, 1839-87, 1890-92, 1894, 1914.
- xix. Executions issued by justices of the peace, 1854-55, showing names of plaintiff, defendant, clerk, and justice, amounts of judgment and costs, and dates of issue and filing.
- xx. Grants of land, 1833-39, showing certificate number, to whom issued, location and description of land, seal of land office, place of recording, date of issue, and signature of secretary.
- xxi. Insanity files, 1902, 1907, 1912, 1923, including petitions, affidavits, investigation reports, complaints, physicians' reports, summonses, jury verdicts, and court orders.
- xxii. Insurance policies on county property, 1879, 1904-14, showing number, date, amount, and provisions of policy, and description of property.
- xxiii. Jury lists, 1861-1915.
- xxiv. List of county patients confined in hospital for insane, 1897, showing name of patient, physical and mental condition, by whom supported, and dates of admittance and filing.
- xxv. List of stockholders in bank, 1895, 1897-1900, showing names of bank, stockholders, and assessor, residence of stockholder, par, market, and assessed valuations, certification of assessor, and date of filing.
- xxvi. List of lands and town lots double assessed, 1855-58, including list of lands forfeited for taxes in error, 1847-52; tax judgments granting county collector right to sell delinquent lands and lots, 1847-49, 1857; and list of lands forfeited to state for taxes, 1847-48, 1850.
- xxvii. Map of swamp land, 1855, showing township and range numbers, and date of filing.
- xxviii. Militia roll, 1861, showing names of men eligible for military service, township, and county clerk, and date of enlistment.
- xxix. Notices of estrays, 1849-84, 1888, showing description of animal, date and by whom picked up, names of appraiser, and justice, appraised value, and date of appraisal.
- xxx. Notice of an injunction, 1925, showing time and date of hearing, names of trustees and attorney, and date of acknowledgment by county clerk.
- xxxi. Patents granted by patent office, 1868-69, showing name of patentee, description of patent, date of issue, and signatures of secretary of interior and commissioner of patents.

- xxxii. Petitions requesting permission to vote at election for or against domestic animals running at large, 1874, 1880, 1885, including complaint against petition to remove county seat of justice from Clinton to Waynesville and petition for same, 1844, and complaint by voters against enlarging county, 1845.
- xxxiii. Plats, 1839-78, showing location of lands and roads, changes in roads, reports of road viewers, and date of report.
- xxxiv. Power of attorney, 1938, showing date of notice, signature of vice president, restricted amount of company obligations, and party granted power of attorney.
- xxxv. Probate files, 1857-1917 including wills, proofs of will and heirship, petitions, oaths, bonds and letters of administration, appraisements, court orders and decrees, widows' relinquishments, selections and awards, petitions and orders for sale of real and personal property, reports of sales, and reports of administrators.
- xxxvi. Railroad tax schedules, 1891-98, 1907, 1911, including petition, and abstracts of votes to subscribe for purchase of bonds, 1869, and bonds issued for purchase of railroad stock, 1869-70, showing amount of track, rolling stock, personal property, name of railroad, valuation of property, affidavit of railroad official, and dates of report and affidavit.
- xxxvii. Receipts of county collector, 1858, for taxes, showing name of payer, amount, and date of payment.
- xxxviii. Receipts of treasurer for money in payment of swamp lands sold, 1864, showing location of lands, and date and amount of receipt.
- xxxix. Receipts for payment of taxes and costs on forfeited property, 1896, 1899, showing location and description of property, amounts of taxes, costs and penalties, total, and date of payment.
- xl. Receipts of treasurer for money received from school commissioner for school, college, and seminary funds, 1843-45, showing date and amount of receipt, names of district and commissioner, and signature of treasurer.
- xli. Report of collector to clerk of amount of taxes collected, 1891, showing amounts of real, personal, railroad, and telephone tax, total, names of collector and clerk, and dates of report and filing.
- xlii. Report of justice to superintendent of schools of fines, forfeitures, and penalties, 1907, showing names of superintendent, justice and county clerk, affidavit of justice, and dates of report, affidavit, and filing.
- xlili. Resignations of county and township officers, 1860-90, showing name of officer, title of office, and dates of resignation and filing.
- xliv. Specifications and contract for building vault in court house, 1896, showing date and specifications of contract, and name of contractor.
- xlv. Statements of tax payer to assessor, 1899-1900, 1904, showing names of tax payer and assessor, assessor's analysis, and dates of affidavit and filing.

- xlvi. Statement of agricultural statistics, 1893, showing names of township and farmer, kind of crop, number of cultivated acres, amount of production, description and number of livestock, value, signature of owner, and date of filing.
 - xlvii. Tax levies on real and personal property in each township, 1840-1911, showing location and description of lands, amounts of tax and allotments for educational, building, and road and bridge purposes, name of tax buyer, affidavit of commissioner of highways, certification of county clerk, amount due or paid, and dates of certification and filing.
 - xlviii. Telephone and telegraph tax schedules, 1890, 1898-99, 1903, showing description and location of property, valuation listed by company, assessed valuation, affidavit of company, certification of assessor, and dates of affidavit and certification.
- Also contains Tuberculosis Association, 1938--, entry 16. No obvious arr. No index. Hdw., typed, hdw. on pr. fm., hdw. under pr. hdgs., and typed on pr. fm. $5\frac{1}{2} \times 4\frac{1}{2} \times 10 - 11 \times 5 \times 14$. 81 f.b., 1839-1926, co. clk.'s strm., attic; 3 f.b., 1869-1932, co. clk.'s off., 1st fl.; 1 f.b., 1937--, co. clk.'s vlt., 1st fl.

III. RECORDER

In 1839, the year in which De Witt County was organized, the recorder was elected for a four-year term.¹ A two-year term became effective in 1847.² The amount of his bond was set at \$500.³ With the adoption of the second constitution the office of recorder was abolished, the duties of that office being delegated to the circuit court clerk in an ex officio capacity.⁴ The present constitution reestablished the office of recorder in counties having a population of sixty thousand or more but continued the provision of the prior constitution for other counties.⁵ As the population of De Witt County has not reached the minimum fixed by the constitution,⁶ the circuit court clerk in this county has retained his duties, ex officio, as recorder. The amount of the recorder's bond was set at \$5,000 in 1872 and was to be approved by the county judge.⁷ This amount was raised in 1874 to \$10,000 for counties having the population of De Witt. A copy of the bond is entered upon the records of the county court.⁸ The compensation of the recorder is fixed by the county board within the limits set by the constitution. In counties the size of De Witt, with a population of 18,244, the compensation of the recorder is not to exceed \$1,500 a year.⁹

Assistants and deputies are appointed by the recorder in a number as determined by rule of the circuit court and as entered upon the court record.¹⁰ The compensation of the assistants and deputies is set by the county board.¹¹ Written oaths of deputies are filed with the Secretary of State.¹²

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1. L. 1835, p. 166. Between 1819 and 1835 the recorder was appointed by the Governor with the advice and consent of the Senate (L. 1819, p. 19; R.L. 1829, p. 117).
 2. L. 1845, p. 28.
 3. R.L. 1829, p. 117.
 4. Const. 1848, Art. V, sec. 19; L. 1849, p. 64.
 5. Const. 1870, Art. X, sec. 8; R.S. 1874, p. 833.
 6. Census figures show population of De Witt County as 18,906 in 1910, 19,252 in 1920, 18,598 in 1930 (Population Bulletin, p. 8). Population in 1940 was 18,244 (Illinois Final Population).
 7. L. 1871-72, p. 645.
 8. R.S. 1874, p. 833.
 9. Const. 1870, Art. X, sec. 10.
 10. Ibid., sec. 9; R.S. 1874, p. 833.
 11. Const. 1870, Art. X, sec. 9.
 12. R.S. 1874, p. 833.

Recorder

In accordance with the duty of the recorder to record at length all written instruments, the following records are required to be kept:¹

1. An entry book in which data relating to date and order of receipt of instruments to be recorded or filed, and the names of parties and location of property, with a brief description of the premises, are entered. Each of such instruments is numbered by the recorder with the corresponding number of the entry. The entry book serves as a table of contents, with descriptive memoranda, for all instruments recorded at length or filed in the recorder's office.
2. Well-bound books for recording at length any instrument in writing entitled to be recorded, in the order of time of its reception. Separate books are allowed to be kept for the recording of different classes of instruments and two distinct series of document numbers may be used in recording documents received for recordation. One series preceded by the letter "B" is for the recordation of bills of sale of personal property, chattel mortgages, releases, extensions, and assignments thereof. The other series of document numbers is for all other instruments received for recordation.
3. Grantor and grantee indexes. In the grantor index are listed the names of the grantors in alphabetical order and the names of the grantees. The grantee index shows the names of the grantees in alphabetical order and the names of the grantors. Each index also shows the date of the instrument, time of receipt, kind of instrument, consideration, book and page of recordation, or the number under which it is filed, and a brief description of the premises.
4. Indexes to each book of record in which are entered, in alphabetical order, the names of each grantor and grantee and page on which the instrument is recorded. This series indexes instruments such as powers of attorney, chattel mortgages, and those recorded by corporations.
5. An index to recorded maps and plats, based on location of property, sometimes arranged by section, township, and range.
6. An abstract book, in effect indexing records by showing for each tract every conveyance or incumbrance recorded, its execution and filing date, and the book and page of its recordation. Series optional with county board.
7. A separate book to record certificates of honorable discharge from military, aviation, and naval service.

1. L. 1819, p. 8,20,21; R.L. 1829, p. 116,117; L. 1847, p. 69; L. 1853, p. 254; L. 1867, p. 148; L. 1869, p. 2; L. 1871-72, p. 645,646; L. 1873, p. 144; R.S. 1874, p. 834-46; L. 1917, p. 652; L. 1925, p. 521; L. 1933-34, Third Sp. Sess., p. 214.

The recorder, in recording at length any instrument in writing, is permitted to make a handwritten or typewritten transcription, a photographic or photostatic reproduction, or use a combination of these methods.¹ In addition to the instruments received for recordation, the recorder is required, upon receipt, to file any mortgage, trust deed, or conveyance of personal property having the effect of a mortgage or lien upon such property which is endorsed with the words, "This instrument to be filed, but not recorded." The recorder marks such instruments "filed" and enters upon each the time of their receipt and files them in his office.²

Entry Books

80. ENTRY BOOK, 1855--. 16 v. (3 not labeled, 5-17).

Entry books of instruments left for recordation, showing date and number of instrument, date of entry, type of instrument, consideration, legal description of property, amount of fees, volume and page of entry, date and to whom delivered. Arr. by date of entry. No index. Hdw. under pr. hdgs. 400 p. 18 x 13 x 3. 3 v. not labeled, v. 5-12, 1855-1923, cir. clk.'s strm., attic; v. 13-17, 1924--, cir clk.'s off., 1st fl.

81. ENTRY BOOK, 1828-76. 2 v. (1 not labeled, 1828-55, 1 not labeled, 1828-76). Title varies: Records, 1 v., 1828-55.

Record of land patents and entries, showing date, name of patentee, legal description of land by section, township, and range, and number of acres. Arr. by sec., twp., and range nos. No index. 1828-55, hdw., and hdw. under pr. hdgs.; 1856-76, hdw. under pr. hdgs. 280 - 788 p. 18 x 12 x 2 - 18 x 13 x 3. 1 v., 1828-55, cir. clk.'s strm., attic; 1 v., 1828-76, cir. clk.'s vlt., 1st fl.

Instruments Recorded

General

82. GENERAL INDEX GRANTOR, GENERAL INDEX GRANTEE, 1839--.

26 v. (A-M, grantor; A-M, grantee).

General index to Deeds and Mortgages Transcribed from McLean County, 1839-60, entry 87; Deed Record, entry 89; Deed Record (Warranty Deeds), 1865--, entry 90; Quitclaim Deed Record, 1869--, entry 91; Tax Deed Record, 1873--, entry 92; Sheriff and Masters' Deed on Sale (Sheriff's Deeds), 1878--, entry 93; Masters' Deed on Sale, 1894--, entry 95; Maple Grove Cemetery Deeds, Farm Leases, Bill of Sale and Bond for Deed, 1902--, entry 96; Deed Record (Con-

1. L. 1933-34, Third Sp. Sess., p. 214.

2. L. 1925, p. 521; L. 1929, p. 592-94.

struction), 1870-1928, entry 98; Mortgage Record, 1854--, entry 99; and Release Record, 1869--, entry 100, showing names of grantor and grantee, legal description of property, consideration, volume and page of entry, and dates of instrument and recording. Arr. alph. by names of grantor and grantee. Hdw. under pr. hdgs. 600 p. 18 x 13 x 3. Cir. clk.'s off., 1st fl.

83. SECTIONAL INDEX (Lands), 1875--. 4 v. (C-F).
Index to Deed Record, entry 89; Deed Record (Warranty Deeds), entry 90; Quitclaim Deed Record, entry 91; Tax Deed Record, entry 92; Sheriff and Masters' Deed on Sale (Sheriff's Deeds), 1878--, entry 93; Masters' Deed on Sale, 1894--, entry 95; Deed Record (Construction), 1875-1928, entry 98; and Mortgage Record, entry 99, showing section, township, and range numbers, parts of section transferred, number of acres, and book and page of entry. Arr. by sec., twp., and range nos. Hdw. under pr. hdgs. 435 p. 18 x 13 x 2½. Cir. clk.'s off., 1st fl.

84. LOT INDEX, 1875--. 3 v. (1-3). Title varies: Sectional Index, Lots, 2 v. (1, 2).
Index to Deed Record, entry 89; Deed Record (Warranty Deeds), entry 90; Quitclaim Deed Record, entry 91; Tax Deed Record, entry 92; Sheriff and Masters' Deed on Sale (Sheriff's Deeds), 1878--, entry 93; Masters' Deed on Sale, 1894--, entry 95; and Mortgage Record, entry 99, showing name of town, legal description of property, and volume and page of entry. Arr. by name of town. Hdw. under pr. hdgs. 476 p. 18 x 13 x 2½. Cir. clk.'s off., 1st fl.

85. SECTIONAL INDEX (Lands and Lots), 1839-74. 2 v. (A, B).
Index to Deeds and Mortgages Transcribed from McLean County, 1839-60, entry 87; Deed Record, entry 89; Deed Record (Warranty Deeds), 1865-74, entry 90; Quitclaim Deed Record, 1869-74, entry 91; Tax Deed Record, 1873-74, entry 92; Deed Record (Construction), 1870-74, entry 98; and Mortgage Record, 1854-74, entry 99, showing section, township, and range numbers, parts of sections transferred, name of town, block and lot numbers, and book and page of record. Lands arr. by sec., twp., and range nos.; lots arr. alph. by name of town. Hdw. and hdw. under pr. hdgs. 475 p. 18 x 13 x 3. Cir. clk.'s off., 1st fl.

86. (DOCUMENTS UNCLAIMED), 1871-1902. 2 f.b. (413, 417).
Deeds, mortgages, chattel mortgages, and releases left for recording and unclaimed by owner, showing type of instrument, names of grantor and grantee, description of property, consideration, and dates of issue and filing. Arr. by date of filing. No index. Hdw. and hdw. on pr. fm. 11 x 5 x 14. Cir. clk.'s off., 1st fl.

87. DEEDS AND MORTGAGES TRANSCRIBED FROM MCLEAN COUNTY, 1831-60. 2 v. (O, P).
Transcript of record of deeds and mortgages from McLean County, showing names and addresses of grantor and grantee, legal description of property, consideration, type of instrument, and dates of document and recording. Arr. by date of recording. 1831-38, no index; for index, 1839-60, see entries 82 and 85. Hdw. 800 p. 18 x 13 x 3. Cir. clk.'s vlt., 1st fl.

88. AFFIDAVITS, RECEIPTS, CERTIFICATE OF INCORPORATION (Miscellaneous Instruments), 1895--. 11 v. (43, 56, 62, 68, 74, 78, 83, 86, 90, 94, 97). Title varies: Power of Attorney, Affidavits, Receipts, v. 43, 56, 62, 74, 78, 1895-1914.

Copies of miscellaneous instruments, including:

- i. Affidavits, 1895--, showing nature of oath, names of affiant and notary public, and dates of oath and filing.
 - ii. Agreements, 1895--, showing names of parties, provisions of agreement, and dates of instrument and filing.
 - iii. Articles of association formed by citizens of townships, 1898-1932, showing names of organization and members, list of aims and purposes, and dates of organization and filing.
 - iv. Assignments obtained in justice of the peace courts, 1898--, showing names of plaintiff, defendant, and assignee, amount, signature of assignor, and dates of assignment and filing.
 - v. Bankruptcy documents, 1906--, showing names of town, county, and district court, case number, name of bankrupt person or firm, order appointing trustee, amount of bond, names of sureties and date of filing.
 - vi. Certificates of incorporation, 1895--, showing certificate number, name, location and purpose of corporation, amount of capital stock, number and par value of shares, names of stockholders and dates of affidavits and filing.
 - vii. Contracts, 1897--, showing names, addresses, and signatures of contracting parties, provisions of contract and dates of contract and filing.
 - viii. Leases, 1895--, showing names of lessor and lessee, date and provisions of lease, location and legal description of property, and dates of affidavit and filing.
 - ix. Mechanics' liens, 1901, showing names of plaintiff and defendant, provisions of verbal contract, list of material and work performed, amount due, and dates of agreement, affidavit, and filing.
 - x. Power of attorney, 1895--, showing date, name and address of party empowering attorney, name of attorney or person assuming authority, amount of bond and names of sureties, and dates of affidavit and filing.
 - xi. Receipts of payments on mortgages and per contract in deeds, 1898-1919, showing names of grantor and grantee, amount of payment, and dates of receipt and filing.
 - xii. Stallion certificates, 1908, 1915, showing certificate number, name of horse, name and address of owner, details of pedigree, file number, and date of filing.
 - xiii. Transcripts from foreign counties and states, 1895--, showing type of instrument, names of parties, number and date of filing.
 - xiv. Veterinarian licenses, 1899, 1911, showing name and residence of applicant, recommendation of examining board, duration of license and dates of license and filing.
- Arr. by date of filing. Indexed alph. by name of principal party. 1895-1904, hdw.; 1905--, typed. 580 p. 18 x 13 x 3. Cir. clk.'s vlt., 1st fl.

Deeds (See also
entry 87)

89. DEED RECORD, 1839--. 40 v. (A-N, Q-U, X, Z, 2, 4, 7, 12, 14, 16, 20, 25, 29, 33, 47, 55, 60, 64, 71, 80, 88, 95, 102).

Recordation of deeds, including marginal releases, 1839-54, and showing names of grantor and grantee, date, type, and number of instrument, legal description of property, consideration, and dates of filing and recording. Also contains Deed Record (Warranty Deeds), 1839-64, entry 90; Quitclaim Deed Record, 1845-68, entry 91; Tax Deed Record, 1841-72, entry 92; Sheriff and Masters' Deed on Sale (Sheriff's Deeds), 1843-77, entry 93, including Masters' Deed on Sale, 1849-77, entry 95; Mortgage Record, 1839-53, entry 99; Release Record, 1839-53, entry 100; Chattel Mortgage Record, 1848-53, entry 103; and Certificate of Purchase, Levy and Redemption, 1848-52, entry 105. Arr. by date of recording. For index, see entry 82; for additional indexes, 1839-74, see entry 85; for 1875--, see entries 83 and 84. 1839-1904, hdw.; 1905--, typod. 640 p. 18 x 13 x 3. Cir. clk.'s vlt., 1st fl.

90. DEED RECORD (Warranty Deeds), 1865--. 55 v. (W, Y, 1-98 not consecutive). 1839-64 in Deed Record, entry 89.

Record of warranty deeds, showing names of grantor and grantee, legal description of property, consideration, affidavit of grantee, dates of deed and filing. Arr. by date of filing. For index, see entry 82; for additional indexes, 1865-74, see entry 85; for 1875--, see entries 83 and 84. Hdw. on pr. fm. 640 p. 18 x 13 x 3. Cir. clk.'s vlt., 1st fl.

91. QUITCLAIM DEED RECORD, 1869--. 13 v. (A, B, 1869-85; 11, 27, 37, 45, 51, 59, 68, 73, 84, 92, 99, 1875--). 1845-68 in Deed Record, entry 89.

Record of quitclaim deeds, showing names of grantor and grantee, consideration, kind of instrument, legal description of property, and dates of instrument, deed, filing, and acknowledgment. Arr. by date of filing. For index, see entry 82; for additional indexes, 1869-74, see entry 85; for 1875--, see entries 83 and 84. Hdw. on pr. fm. 620 p. 18 x 13 x 3. Cir. clk.'s vlt., 1st fl.

92. TAX DEED RECORD, 1873--. 1 v. (17). Last entry 1936. 1841-72 in Deed Record, entry 89.

Recordation of tax deeds, showing date and amount of sale, legal description of property, names of grantor and grantee, and dates of instrument and filing. Arr. by date of filing. For index, see entry 82; for additional indexes, 1873-74, see entry 85; for 1875--, see entries 83 and 84. Hdw. on pr. fm. 560 p. 18 x 13 x 3. Cir. clk.'s vlt., 1st fl.

93. SHERIFF AND MASTERS' DEED ON SALE (Sheriff's Deeds), 1878--. 1 v. (18). 1843-77 in Deed Record, entry 89.

Copies of sheriff's deeds, showing date of indenture, names of grantor and grantee, dates of court decree and sale, legal description of property, acknowledgment of deed by sheriff, and date of filing. Also contains Masters' Deed on Sale, 1878-93, entry 95. Arr. by date of filing. For indexes, see entries 82, 83, 84. Hdw. on pr. fm. 590 p. 18 x 13 x 3. Cir. clk.'s vlt., 1st fl.

(91-99)

Recorder - Instru-
ments Recorded

94. WOODLAWN CEMETERY DEED RECORD, 1893--. 1 v. (40).

Record of deeds to lots in Woodlawn Cemetery, Clinton, showing names of grantor and grantee, instrument and lot numbers, block letter, consideration, affidavit of city clerk, dates of deed and filing. Arr. by date of deed. Indexed alph. by name of grantee. Hdw. on pr. fm. 592 p. 16 x 13 x 3. Cir. clk.'s vlt., 1st fl.

95. MASTERS' DEED ON SALE, 1894--. 1 v. (38). 1849-77 in Deed Record, entry 89; 1878-93 in Sheriff and Masters' Deed on Sale (Sheriff's Deeds), entry 93.

Record of master's deeds, showing date of indenture, names of grantor and grantee, date of court decree and sale, legal description of property, acknowledgment of deed by master in chancery, and date of filing. Arr. by date of filing. For index, see entries 82, 83, 84. Hdw. on pr. fm. 590 p. 18 x 13 x 3. Cir. clk.'s vlt., 1st fl.

96. MAPLE GROVE CEMETERY DEEDS, FARM LEASES, BILL OF SALE AND BOND FOR DEED, 1902--. 1 v. (49).

Record of deeds to lots in Maple Grove Cemetery, showing names of grantor and grantee, lot and section number, consideration, affidavit of grantor, dates of deed and filing; also contains bills of sale, 1902-12, and bonds for deeds, 1902-15. Arr. by date of filing. For index, see entry 82. Hdw. on pr. fm. 644 p. 18 x 13 x 3. Cir. clk.'s vlt., 1st fl.

97. MEMORIAL PARK CEMETERY DEED RECORD, 1930--. 1 v. (91).

Record of deeds to lots in Memorial Park Cemetery, Clinton, showing names of grantor and grantee, lot number, section by letter, instrument number, affidavit of grantor, and dates of deed and filing. Arr. by date of filing. Indexed alph. by name of grantee. Typed on pr. fm. 600 p. 18 x 13 x 3. Cir. clk.'s vlt., 1st fl.

98. DEED RECORD (Construction), 1870-1928. 1 v. (5). 1870 in Deed Record, entry 89.

Record of Illinois Central Railroad construction deeds, showing names of railroad, trustees for railroad, and grantee, legal description of property, consideration, deed number, date of filing deed, and affidavit of trustees. Arr. by date of filing. For index, see entry 82; for additional indexes, see entries 83, 85. 1870, hdw. and hdw. on pr. fm.; 1871-1928, hdw. on pr. fm. 640 p. 18 x 13 x 3. Cir. clk.'s vlt., 1st fl.

Mortgages - Real
Estate (See also
entry 87)

99. MORTGAGE RECORD, 1854--. 73 v. (1-73). 1839-53 in Deed Record, entry 89.

Record of real estate mortgages, marginal releases, and assignments, showing names of mortgagor and mortgagee, description of property, amount and terms of mortgage, instrument number, affidavit of mortgagor, dates of mortgage and filing. Also contains Chattel Mortgage Record, 1854-60, entry 103, and Release Record, 1854-68, entry 100. Arr. by date of filing.

For index, 1854--, see entry 82; for additional indexes, 1854-74, see entry 85; for 1875--, see entries 83 and 84; for index to marginal releases and assignments, 1905-35, see entry 101. 1854-70, hdw.; 1871-74, hdw. and hdw. on pr. fm.; 1875--, hdw. on pr. fm. 630 p. 18 x 13 x 3. Cir. clk.'s vlt., 1st fl.

100. RELEASE RECORD, 1869--. 13 v. (A-M). 1839-53 in Deed Record, entry 89; 1854-68 in Mortgage Record, entry 99.

Record of mortgage releases, showing names of mortgagor and mortgagee, dates of instrument and release, book and page of entry, acknowledgment, and date of filing. Arr. by date of filing. For index, see entry 82. 1869-1917, hdw. on pr. fm.; 1918-34, hdw. on pr. fm., and typed; 1935--, typed, and typed on pr. fm. 640 p. 18 x 13 x 3. Cir. clk.'s vlt., 1st fl.

101. MARGINAL RELEASE AND ASSIGNMENT RECORD (Index), 1905-35. 1 v. Index to marginal releases, showing instrument number, names of mortgagor and mortgagee, book and page of entry, legal description of property, consideration, and dates of mortgage and release. Arr. alph. by name of mortgagor and mortgagee. Hdw. under pr. hdgs. 400 p. 18 x 13 x 2 $\frac{1}{2}$. Cir. clk.'s off., 1st fl.

Mortgages - Chattel

102. CHATTEL MORTGAGE INDEX, 1895--. 3 v. (2, 3, 1 not labeled). Index to Chattel Mortgage Record, 1861--, entry 103, and Transfer Book (Chattel Property), 1932--, entry 104, showing names of mortgagor and mortgagee, consideration, book and page of entry, and dates. Arr. alph. by name of mortgagor. 1895-1933, hdw. under pr. hdgs.; 1934--, typed under pr. hdgs. 500 p. 18 x 13 x 2 $\frac{1}{2}$. V. 2, 1895-1912, cir. clk.'s strm., attic; v. 3, 1 not labeled, 1913--, cir. clk.'s off., 1st fl.

103. CHATTEL MORTGAGE RECORD, 1861--. 46 v. (A, 2-7, 9-12, 14, 15, 17-21, 23-27, 30-52). 1848-53 in Deed Record, entry 89; 1854-60 in Mortgage Record, entry 99.

Record of chattel mortgages, including chattel mortgage extensions and bills of sale, 1861-1901, 1913, and showing names of mortgagor and mortgagee, consideration, description of property, affidavit of mortgagor, and dates of acknowledgment and filing. Also contains Release Record, 1861-68, entry 100; Transfer Book (Chattel Property) 1870-1931, entry 104. Arr. by date of filing. 1861-67, 1874-1903, indexed alph. by name of mortgagor; 1868-73, no index; for sep. index, 1895--, see entry 102. 1861-79, hdw.; 1880-1906, hdw. on pr. fm.; 1907--, hdw. on pr. fm., typed, and typed on pr. fm. 640 p. 18 x 13 x 3. V. A, 2-7, 9-12, 14, 15, 17-21, 23-27, 30-37, 39-46, 1861-1932, cir. clk.'s strm., attic; v. 38, 47-52, 1916--, cir. clk.'s off., 1st fl.

104. TRANSFER BOOK (Chattel Property), 1932--. 1 v. 1870-1931 in Chattel Mortgage Record, entry 103.

Record of chattel mortgage releases, transfers and sales, showing names of mortgagee, mortgagor, and to whom released, description of chattels, amount of mortgage, and dates of mortgage, transfer, and filing. Arr. by date of filing. For index, see entry 102. Typed on pr. fm. 200 p. 18 x 13 x 2. Cir. clk.'s off., 1st fl.

Certificate of Levy, Sale, and
Redemption

105. CERTIFICATE OF PURCHASE, LEVY AND REDEMPTION, 1853--,
4 v. (1 not labeled, 2-4). Title varies: Certificate of Levy and Purchase, 1 v. not labeled, 1853-68; v. 2, 1869-1912. 1848-52 in Deed Record, entry 89.

Copies of sheriff's and master's certificates of levy, sale, purchase, and redemption, showing names of plaintiff, defendant, master in chancery, and sheriff, type of action, case number, legal description of property, court orders, date, amount, terms, and place of sale, and date of filing. Arr. by date of filing. Indexed alph. by name of plaintiff. 1853-84, hdw.; 1885-1907, hdw., and hdw. on pr. fm.; 1908--, hdw. on pr. fm. and typed. 600 p. 18 x 13 x 2 1/2. Cir. clk.'s vlt., 1st fl.

Bonds of Officers

106. BOND RECORD, 1889-1928. 1 v. (C).

Copies of township treasurers' bonds, showing names of treasurer, sureties and trustees, amount of bond, township and range numbers, affidavit of sureties, approval of trustees, dates of bond and filing; also contains (Town) Collectors' Bond Record, 1901-18, entry 107. Arr. by date of filing. Indexed alph. by name of treasurer. Hdw. on pr. fm. 500 p. 18 x 13 x 3. Cir. clk.'s str., attic.

107. (Town) COLLECTORS' BOND RECORD, 1869-1900. 2 v. (A, B). Title varies: Collectors' Bonds, v. A, 1869-71. 1859-68 in Supervisors' Record, entry 2; 1901-18 in Bond Record, entry 108.

Record of town collectors' bonds, showing names of township, collector, and sureties, date and amount of bond, affidavit of collector, certification of supervisor, and date of filing. Arr. by date of filing. Indexed alph. by name of collector. Hdw. on pr. fm. 415 p. 18 x 13 x 2. Cir. clk.'s str., attic.

Maps and Plats

108. SURVEYORS' RECORD, 1859--. 2 v. (1 not labeled, 1). Missing: 1871-84. Last entry 1938.

Record of surveys made by county surveyors, showing location of lands with hand-drawn plats and remarks on territory surveyed, for whom survey was made, name and certification of surveyor, and dates of survey and recording. 1859-70, arr. by sec., twp., and range nos.; 1885--, arr. by date of recording. No index. Hdw. and hand-drawn, 525-- 557 p, 12 x 8 x 1 1/2 - 18 x 13 x 3. Cir. clk.'s off., 1st fl.

Recorder - Instruments Recorded

109. PLAT BOOK, 1871--. 2 v. (A, B).

Plats of additions to towns and cemeteries, showing hand-drawn plats of surveys, location of land or lots, description and notes of survey, name of surveyor and dates of survey, and recording. Also contains Plat Book (Highways), 1933--, entry 111. Arr. by date of recording. No index. 1871-1910, hdw. and hand-drawn; 1911--, typed and hand-drawn. 400 p. 18 x 13 x 2 1/2. Cir. clk.'s vlt., 1st fl.

110. (SCHOOL PLATS), 1867--. 1 v.

Plats of school districts, showing section, township and range numbers, changes of school district boundaries, certifications of clerk and president of board of trustees of school district, and date of recording. Author, Culver, Page & Honye. Published in Chicago, Illinois. Arr. by date of recording. Indexed by twp. and range nos. Hdw. and hand-drawn. 233 p. 12 x 9 x 2. Co. clk.'s vlt., 1st fl.

111. PLAT BOOK (Highways), 1928-32. 2 v. (C - 1, C - 1). 1933-- in Plat Book, entry 109.

Record of hand-drawn plats and maps of land granted to state for highway purposes, showing date, indenture number, name and affidavit of owner, consideration, and legal description of land. 1 in. to 100 ft.; 1 in. to 50 ft. Arr. by date of plat. No index. Hand-drawn, typed, and blue-print. 460 p. 16 x 12 x 2. Cir. clk.'s vlt., 1st fl.

Other Instruments

112. (SOLDIERS' DISCHARGE RECORD), 1865--. 1 v.

Copies of Civil War soldiers' discharge certificates, showing name and description of soldier, date and place of birth, dates and places of enlistment and discharge, outline of service, rank on discharge, date of filing, and signature of recorder. Arr. by date of filing. Indexed alph. by name of soldier. Hdw. on pr. fm. 391 p. 18 x 12 x 2 1/2. Cir. clk.'s off., 1st fl.

113. ILLINOIS STALLION RECORD, 1910--. 2 v. (1, 3). Title varies:

Stallion Registration Record, v. 1, 1910-18. Last entry 1938. Record of stallion certificates, showing certificate and registration numbers, names of owner, examiner, and breeder, name and description of horse, dates of expiration and renewal of license, signature of secretary of board, and date of filing. Arr. by date of filing. Indexed alph. by names of owner and horse. 1910-18, hdw. on pr. fm.; 1911--, typed on pr. fm. 320 p. 18 x 12 x 2. V. 1, 1910-18, cir. clk.'s strm., attic; v. 3, 1918--, cir. clk.'s off., 1st fl.

114. RENEWAL CERTIFICATE OF STALLION RECORD, 1911-18. 1 v.

Record of renewals of stallion certificates, showing certificate and registration numbers, names of original and present owners, name of horse, dates of renewal, expiration, and filing, and signature of secretary of board. Arr. by date of renewal. Indexed alph. by name of owner. Hdw. on pr. fm. 320 p. 18 x 12 x 2. Cir. clk.'s strm., attic.

(115-117)

Recorder - Instru-
ments Recorded

115. REGISTER OF FARM NAMES, 1915--. 1 v. (1). Last entry 1929. Register of names of farm lands, showing names of owner and farm, legal description of land, acreage, dates of registration and filing, and affidavit of owner. Arr. by date of registration. Indexed alph. by name of owner. Typed on pr. fm. 284 p. 18 x 13 x 2. Cir. clk.'s off., 1st fl.

116. WAREHOUSE CERTIFICATE, 1934--. 1 f.b. Copies of applications and farm warehouse certificates issued by state department of agriculture, showing certificate number, kind of grant, location of crib or bin, name of owner, quantity stored in warehouse, affidavit of owner, dates of issue and filing, and signature of state director. Arr. by date of issue. No index. Typed on pr. fm. 11 x 5 x 14. Cir. clk.'s off., 1st fl.

117. GRAND ARMY OF THE REPUBLIC, FRANK LOWRY POST NO. 157, DEPARTMENT OF ILLINOIS, 1882-92. 1 v. Record of Civil War veterans who joined Frank Lowry Post No. 157, Clinton, showing name of soldier, date and place of birth, description of army service, certification of service, date of joining post, and signature of post commander. Arr. by date of joining post. Indexed alph. by name of soldier. Hdw. on pr. fm. 205 p. 18 x 12 x 2. Cir. clk.'s off., 1st fl.

IV. COUNTY COURT

The county court serves as the judicial branch of county government. This court is administered by the county judge who is elected for a four-year term by the county electorate. Before entering upon the duties of his office, the county judge is required to take and subscribe to an oath which he files with the Secretary of State. The compensation of the De Witt county judge was originally set at \$2.50 per diem for holding court, which was paid quarterly out of the county treasury.¹ Today, the judge in this county receives \$2,500 per annum.² The court hears and determines matters in which it has original or concurrent jurisdiction, including appeals from the justices of the peace and police magistrates.³

At the time of the organization of De Witt County, the powers of the judiciary in all counties were administered only by the justices of the peace,⁴ the probate justice of the peace,⁵ and the circuit court.⁶ Later, a civil and criminal court with jurisdiction coextensive with the county lines was established under the provisions of the Constitution of 1848 and legislation of 1849.⁷ The court created was the county court. This unit of county government was established with a partial reversion to the dual function, administrative and judicial, of the local judiciary in Illinois under the Territorial Laws prior to 1818. The court was different from the territorial courts in that its composition varied for each of the two functions. The judicial court was administered by the county judge, who was elected by the county electorate and commissioned by the Governor.⁸ His original four-year tenure of office has remained effective to the present. As the administrative body, the court was made up of the county judge and two justices of the peace.⁹

Under the second constitution complete separation of county business powers from the judicial could be had with the acceptance by the county electorate of an independent administrative body, the board of supervisors, established under township organization.¹⁰ This plan of

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1. L. 1849, p. 62,63.
 2. L. 1938, First Sp. Sess., p. 30.
 3. L. 1881, p. 70.
 4. Const. 1818, Art. IV, sec. 8; L. 1819, p. 192.
 5. L. 1837, p. 176.
 6. L. 1819, p. 380.
 7. Const. 1848, Art. V, sec. 1,16; L. 1849, p. 62.
 8. Const. 1848, Art. V, sec. 17; L. 1849, p. 62,66; R.S. 1874, p. 339; L. 1933, p. 451.
 9. L. 1849, p. 65.
 10. Const. 1848, Art. VII, sec. 6; L. 1849, p. 192,202-4; L. 1851, p. 38, 50-52.

government was not selected immediately and De Witt was governed by the dual county court until 1859 when the board of supervisors became successor to the county court in its jurisdiction over county affairs and business. From that date on, the county court has served only as a judicial court in De Witt County.

The county court as established in 1849 was vested with the same civil and criminal jurisdiction as were the justices of the peace. The county judge was made a conservator of the peace. He was given the same power and authority as the circuit judge in preserving order in the court and punishing contempts offered the court while in session.¹ Suits for the sale of delinquent lands for taxes in 1848, and prior years, could be brought and presented in either the circuit or county court, but for taxes of subsequent years, the county court was given exclusive original jurisdiction.² The court also exercised jurisdiction equal with that of the circuit court over naturalization.³ This court has power to make rules regulating dockets, calendars, and the conduct of its business.⁴

In addition to its civil and criminal jurisdiction, the court was vested with all the powers and jurisdiction in probate matters which were vested prior to this date in the court of the probate justice. The court was given concurrent jurisdiction with the circuit court in hearing and determining applications for the sale of real estate of deceased persons and for the payment of debts of the estate.⁵ In De Witt County the county judge has served to the present day in his ex officio capacity as judge of the probate court.⁶

The law jurisdiction of the county court in De Witt County is concurrent with that of the circuit court in that class of cases wherein the justices of the peace have jurisdiction where the value of the amount in controversy does not exceed \$2,000,⁷ in all cases of appeals from justices of the peace and police magistrates, and in all criminal offenses

1. L. 1849, p. 65.

2. Ibid., p. 126.

3. 2 U.S. Stat. 155.

4. L. 1933, p. 786.

5. L. 1849, p. 65.

6. Const. 1848, Art. V, sec. 16, 18; Const. 1870, Art. VI, sec. 18; R.S. 1874, p. 339, 340; L. 1933, p. 449, 458.

7. In 1872 the jurisdiction was in cases wherein the amount involved did not exceed \$500 (L. 1871-72, p. 325; R.S. 1874, p. 339, 340). Legislation enacted in 1933 extended the jurisdiction to \$2,000 (L. 1933, p. 452), but a later amendment of the same session, passed June 21, 1933, placed the jurisdiction in cases where the amount involved is not over \$1,000 (ibid., p. 449). In 1939, jurisdiction was again extended to \$2,000 (L. 1939, p. 492).

County Court

and misdemeanors where the punishment is not imprisonment in the penitentiary or death.¹ The county court also has original jurisdiction in matters relating to indigent mothers,² and jurisdiction over insane persons not charged with crimes.³

The county and circuit courts have original jurisdiction in cases of juvenile offenders. This jurisdiction is over matters dealing with dependent, neglected, and delinquent children. The authority includes provision for the treatment, control, maintenance, adoption, and guardianship of such children.⁴

In 1899, provision was made for the appointment by the court of a juvenile probation officer to serve without compensation from the public treasury and at the pleasure of the court.⁵ In 1907 an amendment to this act authorized the court to allow compensation to such officer in a sum to be set by the county board, but the power of the court to appoint probation officers to serve without pay was in no way abridged by this legislation.⁶ An amendment of 1925 provided that if more than one probation officer were appointed, one was to be designated as chief probation officer. To be eligible for the position of chief probation officer, the candidate was required to have had experience in social welfare work equivalent to one year spent in active practical welfare work. Minimum rates, based upon population, were established for the compensation of these officers, the county board to fix the amount. Where a county had only one probation officer, the salary rates were made to apply to that individual. The court, however, retains the power to appoint probation officers to serve without pay.⁷ Legislation enacted in 1939 abolished minimum rates based upon population but retained the other 1925 provisions.⁸

The probation officer makes investigation on order of the court and takes charge of the child before and after trial. He is required to be present at the court hearings in order that he may represent the interest of the child. This officer also furnishes information and assistance as required by the court.⁹

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1. R.S. 1874, p. 340; L. 1877, p. 77; L. 1895, p. 212,223; L. 1933, p. 349-51.
 2. L. 1913, p. 127, L. 1915, p. 243; L. 1921, p. 162-64; L. 1935, p. 256-59.
 3. L. 1869, p. 366; R.S. 1874, p. 685.
 4. L. 1899, p. 131-37; L. 1901, p. 141-44; L. 1905, p. 152-56; L. 1907, p. 70-78.
 5. L. 1899, p. 133.
 6. L. 1907, p. 69,70.
 7. L. 1925, p. 187,188.
 8. L. 1939, p. 329,330.
 9. L. 1899, p. 133; L. 1925, p. 187,188.

Upon petition filed with the clerk of the court for the removal of a neglected or dependent child from the custody of its parents or guardian, process is issued for appearance. The summons may be served by the sheriff or the duly appointed probation officer.¹

At any time after the filing of the petition and pending the final disposition, the court may allow the child to remain in the possession of its custodian, or in its home subject to the visitation of the probation officer; or the child may be ordered into the custody of the probation officer.² If upon hearing the case the court finds the child to be dependent or neglected, the court may commit the child to an association or institution, or allow the child to remain in his home subject to the visitation of the probation officer.³ In a similar fashion the probation officer for adults, an appointee of the circuit court, assists the courts of the county in the administration of justice among adult violators.⁴

In cases of delinquency, if the court finds any child to be delinquent, the court may commit the child to an institution or to the custody of the probation officer. The court may, upon its discretion, send juvenile offenders and vagrants to the state reform school rather than to the county jail.⁵

Another probation officer, an appointee of the county court, assists the court in mothers' pension cases. The state and county funds for indigent mothers and their children are administered by the county court, its appointed probation officers, the county board with the assistance of the county clerk, the county treasurer, and the State Department of Public Welfare. The county court, however, is given original jurisdiction of these matters.⁶

A mother whose husband is dead or incapacitated, or who is abandoned by her husband, is entitled to the benefits of the mothers' pension fund when she is in need. Such mother may file an application with the county court for relief. The case of the applicant is then investigated by the probation officer under the direction of the court.⁷ A report and recommendation of the approval or disapproval of such application is then made by this officer of the court. If the application is approved, the

1. L. 1899, p. 132,133; L. 1905, p. 153,154; L. 1907, p. 72,73.

2. Ibid., p. 74.

3. L. 1923, p. 180,181.

4. L. 1911, p. 280-82.

5. L. 1907, p. 75.

6. L. 1913, p. 127-30; L. 1915, p. 243-45; L. 1921, p. 162-64; L. 1935, p. 256-59.

7. L. 1913, p. 127-30; L. 1915, p. 244; L. 1935, p. 256-59.

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probation officer or other person may file with the clerk of the court a written petition verified by affidavit setting forth the facts giving the court jurisdiction and other facts upon which an order for relief is entered. Upon receipt of the petition, a summons is issued to the mother and the county board for appearance. The usual procedure is for the board to make a written appearance. Upon the hearing in court, the court may make an order upon the county board to pay monthly such money as may be necessary for the care of the mother and her child or children in accordance with the provisions of law.¹

To carry out this procedure, the county court appoints the probation officer who serves during the pleasure of the court and is compensated for his services by the county in such amount as determined by the county board. As noted above, this officer is required to investigate all applications for relief and make a written report to the court. In addition to this duty, the probation officer makes quarterly visits and supervises, under the direction of the court, the families to which such assistance has been granted.²

The county board annually levies a tax on all taxable property to provide for the mothers' pension fund. The levy is made not in excess of two fifths of one mill on a dollar in De Witt County.³ In addition, the General Assembly, from time to time, makes appropriations to the State Department of Public Welfare, the funds, in turn, being distributed to the several counties to supplement the pension fund. To become entitled to the state appropriations, the county must meet the standards of administration set by the state agency. The county treasurer certifies to the state department an itemized statement, attested by the county clerk, of the money paid out during each quarter in accordance with the legislative provisions for this pension and also certified annually the total assessed valuation and amount of money raised by tax levy for the mothers' pension fund.⁴

Jurisdiction in the election procedure is vested variously in the county board, the county court, and the county clerk. In the event that any city, village, or incorporated town adopts the City Election Act the county judge appoints a board of three election commissioners to have charge of elections in that political unit. Only one such board, however, is appointed in each county. This board has jurisdiction over elections in all cities, villages, or incorporated towns which may adopt the act.⁵

1. L. 1913, p. 127-30; L. 1935, p. 257-59.

2. L. 1913, p. 129,130; L. 1935, p. 258.

3. L. 1919, p. 780,781; L. 1927, p. 196,197; L. 1928, First Sp. Sess., p. 3,4; L. 1933, p. 194,195.

4. L. 1935, p. 259.

5. L. 1885, p. 147-49; L. 1899, p. 163-65; L. 1917, p. 445,446; L. 1929, p. 339; L. 1933, p. 534; L. 1935-36, Fourth Sp. Sess., p. 35.

Otherwise, jurisdiction is vested in the county board, county court, and county clerk. The county court has original jurisdiction in election contests for certain county, district, and township offices.¹

Aiding in the settlement of questions arising in the course of the election procedure is the county officers electoral board. This body consists of the county judge as chairman, the county clerk, and the state's attorney.²

The several nomination papers for county offices are filed with the county clerk and are considered valid unless objections are made within five days after the last day for filing such papers. Objections to nominations are made to the county officers electoral board for any office of the county, park district, or other division coterminous with or less than the county and other than a city, village, incorporated town, or township.³ The objector's petition is filed with the county clerk who presents the same, together with the nomination papers or certificate, before the electoral board.⁴ The petition contains the objector's name and residence, the nature of the objection, the interest of the objector, and the relief sought of the board.⁵ A notice of the hearing is sent to the candidate. Upon hearing the objections, the board renders a final decision by majority vote. In the event the candidate whose nomination is protested is a member of the electoral board, the circuit judge is required to fill his place.⁶

Jurisdiction is vested in the county court to hear and determine all questions relative to taxes on gifts, legacies, and inheritance.⁷ The act granting this jurisdiction is generally known as the "Inheritance Tax Law." Originally, the state's attorney was charged with the duty of enforcing the provisions of this law,⁸ however, since 1913 these duties have been performed by the Attorney General.⁹ The law also requires that both the county judge and the county clerk make a statement in writing to the county treasurer every three months of the property from which or the party from whom he (the county judge or county clerk) has reasons to

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1. L. 1871-72, p. 396.
 2. L. 1891, p. 110,111; L. 1933, p. 552.
 3. L. 1891, p. 110,111; L. 1929, p. 394.
 4. L. 1891, p. 111; L. 1929, p. 394; L. 1933, p. 552.
 5. L. 1929, p. 394,395.
 6. L. 1933, p. 552.
 7. L. 1895, p. 306; L. 1909, p. 318.
 8. L. 1895, p. 306.
 9. L. 1913, p. 515,516; L. 1935, p. 1179,1180.

County Court

believe a tax under this act is due and unpaid.¹ The county treasurer is required to collect and pay to the State Treasurer all taxes that may be due and payable by law.²

Under an act of 1933, housing corporations may be organized in Illinois for the express purpose of improving housing conditions.³ Such corporations are subject to the supervision and control of the State Housing Board. This state agency has authority, after investigations and public hearing, to approve the acquisitions of property and construction of housing projects. If the State Housing Board approves a project over the objections of ten percent of the property owners within a mile, but not included in the project, it must then file an application with the clerk of the county court to be submitted to the county judge for the confirmation of the court's approval. Such application is to contain copies of the findings and order of the board, transcript of testimony, description of the project and public spaces, statement of location, and reasons for approval by the board. The objectors to the project may file objections in the county court to the confirmation of such a project. The county judge then examines the application, objections, and any additional evidence before rendering a decision of "approved" or "not approved" on the application.⁴

Appeals may be taken from the final orders, judgments and decrees of the county court to the circuit court in all matters⁵ except in proceedings for the confirmation of special assessments and in proceedings for the sale of lands for taxes and special assessments; also excepted are common law and attachment cases, those of forcible detainer, and of forcible entry and detainer. These matters are appealed directly to the Supreme Court or the Appellate Court. Such appeals shall, when not otherwise provided, be taken and prosecuted in the same manner as are other civil cases in courts of record.⁶

The records of the county court are kept by its clerk. In De Witt County the county clerk is clerk, ex officio, of the county court. In addition to the statutory records described below the clerk necessarily maintains others in effecting the court's orders.⁷

1. L. 1895, p. 306; L. 1909, p. 319; L. 1913, p. 516.

2. L. 1895, p. 307; L. 1909, p. 319.

3. L. 1933, p. 396-415; L. 1933-34, Third Sp. Sess., p. 167-74.

4. Ibid.

5. R.S. 1874, p. 339.

6. Ibid.; L. 1877, p. 77; L. 1881, p. 66; L. 1935, p. 696, 697.

7. The form which such records take is generally determined by court order (L. 1849, p. 65; R.S. 1874, p. 262, 263).

For the court the clerk keeps the following records:

1. Books of record of the proceedings and judgments of the court with alphabetical indexes by names of parties. Proceedings are recorded at length only in cases designated by law or when the court, at the motion and assumption of expenses by one of the parties, so orders. In practice, the court record has been broken down from an early date into segregated types of proceedings and judgments.
2. "Plaintiff-Defendant Index to Court Records" and "Defendant-Plaintiff Index to Court Records," intended to be separate records, but frequently combined in a single volume with the two indexes segregated in each volume.
3. A general docket in which all suits are entered in the order they are commenced.
4. A judgment and execution docket containing a column for the entry of satisfaction or other disposition. In practice, an execution docket is frequently set up independently.
5. Additional dockets, designated as the clerk's, judge's, and bar docket. In practice, the bar docket has tended to drop out of use.
6. A fee book in which costs and fees are to be entered under the proper title of the cause. In practice, separate series of volumes are maintained under these titles of causes.
7. Transcripts of proceedings in appeals from justices' courts, dockets thereof, and transcripts of judgment for liens, etc., from justices' courts.¹
8. Naturalization records including petitions, proceedings, final certificates, etc. The county courts in Illinois prior to 1906 met the requirement of Federal statutes to exercise naturalization jurisdiction.²
9. Original documents used in court hearings and determinations; of particular importance in the large number of cases where complete proceedings are not spread on court record.
10. Monthly reports of the warden of the county jail containing a list of all prisoners in his custody and showing the cause of commitment and names of persons by whom committed.³

1. L. 1859, p. 92-94; L. 1865, p. 79,80; L. 1871-72, p. 325-27; R.S. 1874, p. 262-65; L. 1895, p. 217.

2. 2 U.S. Stat. 153-55; U.S.R.S. 1789-1874, p. 378-80; 34 U.S. Stat. 596-607.

3. R.S. 1874, p. 617; L. 1933, p. 678.

Proceedings of Court

118. INDEX TO PROBATE, COMMON LAW, AND CRIMINAL CASES, 1839-1908. 1 v. County clerk's index to probate, common law, criminal, naturalization, adoption, insane, insolvent, copartnership and feeble-minded case papers, showing name of principal party, type of case, and case number. This index was transcribed in 1908 into General Index Probate, 1839--, entry 152; General Index Common Law, 1872--, entry 120; and General Index - Common Law and Criminal (Criminal Only), 1872--, entry 123. Arr. by type of case and case no. Hdw. 200 p. 18 x 12 x 1 $\frac{1}{2}$. Co. clk.'s vlt., 1st fl.

119. (COMMON LAW AND PROBATE FILES), 1839--. 322 f.b. (1-222, 222-247, 247-267, 267-269, 269-312, 6 not labeled). Files of common law case papers in county court, including pleas, subpoenas; warrants, summonses, writs, depositions, motions, executions, judgments, transcripts from justice courts, appeals, jury verdicts, and court orders and decrees; mothers' pension papers, 1916--; insanity and feeble-minded case papers, 1857--; dependency and delinquency papers, 1906--; petit jury venire, 1916--; certificates of good moral character, 1892--; applications for relief of blind, 1919, 1921-22; adoption papers, 1888--; drainage district papers for Green Valley, Santa Ana, and North Fork Branch districts, 1912-31; naturalization papers, 1874-1906; and inheritance tax papers, 1905--. Also contains Tax Sale Certificate of Purchase, ontry 39; Criminal Files, 1909--, entry 122; and (Probate Files), entry 153. Arr. by case no. For index, 1839-1908, see entry 118; for sep. index to common law papers, see entry 120; for sep. index to probate papers, see entry 152. 1839-53, hdw.; 1854-1904, hdw. and hdw. on pr. fm.; 1905--, hdw., typed and hdw. and typed on pr. fm. 11 x 5 x 14. 35 f.b., 1839-78, 1889-1935, co. clk.'s off., 1st fl.; 287 f.b., 1878--, co. clk.'s vlt., 1st fl.

120. GENERAL INDEX COMMON LAW, 1872--. 1 v. (3). Index to common law papers in (Common Law and Probate Files), entry 119, showing file box and case numbers, names of plaintiff and defendant, and type of action. Arr. alph. by name of plaintiff. Typed under pr. hdgs. 500 p. 18 x 13 x 3. Co. clk.'s vlt., 1st fl.

121. COUNTY COURT RECORD (Common Law), 1872--. 5 v. (1-5). Record of common law cases, showing names of plaintiff and defendant, case number, nature of case, court term and orders. Also contains Judgment by Confession, 1875-96, entry 126. Arr. by case no. Indexed alph. by name of plaintiff. 1872-1906, hdw.; 1907--, typed. 600 p. 18 x 13 x 3. Co. clk.'s vlt., 1st fl.

122. CRIMINAL FILES, 1872-1908. 11 f.b. 1909-- in (Common Law and Probate Files), entry 119. Criminal cases filed in county court, including common law papers, 1872-76, summonses, subpoenas, capias, affidavits, warrants, pleas, writs, indictments, waivers, depositions, commitments, recognizance and appeal bonds, jury verdicts, and court decrees. Arr. by case no. For index, see entry 123. 1872-1904, hdw. and hdw. on pr. fm.; 1905-1908, hdw., typed, hdw. on pr. fm. 11 x 5 x 14. Co. clk.'s strm., attic.

123. GENERAL INDEX - COMMON LAW AND CRIMINAL (Criminal Only), 1872--.
1 v. (2).

Index to Criminal Files, entry 122, showing file box and case numbers, kind of action and name of defendant. Arr. alph. by name of defendant. Typed under pr. hdgs. 600 p. 18 x 13 x 3. Co. clk.'s vlt., 1st fl.

124. COUNTY COURT CRIMINAL RECORD, 1872--. 6 v. (1-6).

Record of criminal cases in county court, showing case number, names of defendant and attorneys, kind of action, orders of court, and dates. Arr. by case no. Indexed alph. by name of defendant. 1872-1904, hdw.; 1905--, typed. 600 p. 18 x 13 x 3. Co. clk.'s vlt., 1st fl.

125. INSANE RECORD COMMISSION, 1886--. 4 v. (1, 1-3).

Record of proceedings in insanity cases, showing names of alleged insane, petitioner, judge, witnesses, clerk, and members of examining commission, statement of petitioner, date of hearing, physician's report, verdict of jury, orders of court, and date of filing. Also contains Record of Findings and Orders Feeble-Minded, 1886-1914, entry 127. Arr. by date of filing. Indexed alph. by name of alleged insane. Hdw. on pr. fm. 300 p. 18 x 13 x 2. V. 1, 1886-93, co. clk.'s strm., attic; v. 1-3, 1893--, co. clk.'s vlt., 1st fl.

126. JUDGMENT BY CONFESSION, 1897--. 2 v. (1, 2). 1875-96 in County Court Record (Common Law), entry 121.

Record of judgments by confession, showing case number, names of plaintiff, defendant, attorneys, sheriff, judge, date of confession, and amount and date of judgment. Arr. by case no. Indexed alph. by name of plaintiff. Hdw. on pr. fm. 600 p. 18 x 13 x 3. Co. clk.'s vlt., 1st fl.

127. RECORD OF FINDINGS AND ORDERS FEEBLE-MINDED, 1915--. 1 v. (1).
1886-1914 in Insane Record Commission, entry 125.

Record of feeble-minded cases, showing names of alleged feeble-minded, petitioner, commission, sheriff, and county judge, court order appointing commission, findings of commission, court order of commitment, name of institution, dates of petitions and findings, and court orders. Arr. by date of commitment. Indexed alph. by name of alleged feeble-minded person. Hdw. on pr. fm. 240 p. 18 x 12 x 2. Co. clk.'s vlt., 1st fl.

128. SPECIAL DRAINAGE (City Improvements), 1899--. 4 f.b.

County clerk's files of city improvements, including special assessments, petitions for improvements of streets, sidewalks, drainage, paving, and watermains, assessment rolls, affidavits of publication and posting notice, publishers' notices, contracts, appeal bonds, orders for elections and appointing commissioners, oaths and reports of commissioners, review of allowance, county treasurer's receipts for funds, and bonds allowed by city officials and commissioners. No obvious arr. No index. Hdw., typed, and hdw., typed on pr. fm. 11 x 5 x 14. Co. clk.'s off., 1st fl.

Dockets

Court Dockets

129. JUDGE'S DOCKET COMMON LAW AND CRIMINAL, 1872--. 6 v. (A-D, 1872-1915; 2, 1913-31; 1 not labeled, 1925--).

Judge's docket of common law cases, showing case number, names of plaintiff, defendant, and attorneys, kind of action, orders of court, and dates. Also contains Transfer Judge's Docket (Criminal), 1872-1914, 1936--, entry 135. Arr. by case no. No index. 1872-1914, hdw. under pr. hdgs.; 1915--, hdw. and typed under pr. hdgs. 250 - 400 p. 18 x 13 x 2 $\frac{1}{2}$ - 15 x 13 x 3. V. A-D, 1872-1915, co. clk.'s strm., attic; v. 2, 1 not labeled, 1913--, co. clk.'s vlt., 1st fl.

130. JUDGMENT DOCKET, 1872--. 1 v. (A).

Docket of judgments and decrees entered, showing names of plaintiff, defendant, and attorneys, nature of judgment or decree, amount and date of judgment, court costs, satisfaction and book and page numbers of record and fee book. Arr. by case no. Indexed alph. by name of person against whom judgment or decree was entered. Hdw. under pr. hdgs. 320 p. 18 x 14 x 3. Co. clk.'s vlt., 1st fl.

131. INSANITY DOCKET, 1893--. 2 v. (1 not labeled, 2). 1859-92 in Probate Judge's Judgment Docket, entry 187.

Docket of insanity cases, including feeble-minded cases, 1893-1914, showing case number, names of petitioner, alleged insane person, witnesses, examining physician, and jurors, court orders, and dates. Arr. by date of court order. Indexed alph. by name of alleged insane person. Hdw. on pr. fm. 300 p. 18 x 13 x 1 $\frac{1}{2}$. Co. clk.'s vlt., 1st fl.

132. DOCKET - FEEBLE-MINDED, 1915--. 1 v. (1).

Judge's docket of feeble-minded cases, showing names of alleged feeble-minded person, petitioners, physicians and witnesses, findings of commission, court order of commitment, place of confinement, court costs, and name of payer. Arr. by date of court order. Indexed alph. by name of alleged feeble-minded person. Hdw. on pr. fm. 120 p. 18 x 13 x 1 $\frac{1}{2}$. Co. clk.'s vlt., 1st fl.

133. CLERK'S DOCKET (and Miscellaneous Record), 1872-1902. 1 v.

County clerk's docket of common law and criminal cases, 1872-78, showing case number, names of plaintiff, defendant, and attorneys, nature of case, court orders of previous term, dates of filing and court term, and court orders. Cases arr. by case no.; certificates arr. by certificate no.; insurance policies arr. by date of filing. No index. 1872-92, hdw. under pr. hdgs.; 1893-1902, hdw. 250 p. 14 x 9 x 1. Co. clk.'s strm., attic.

134. EXECUTION DOCKET, 1872-1909. 1 v.

Docket of executions, showing case number, names of plaintiff and defendant, type of action, amount of judgment, dates of execution and return, amount of fees, court of issue, and book and page number of entry. Arr. by case no. Indexed alph. by name of plaintiff. Hdw. under pr. hdgs. 322 p. 18 x 13 x 3. Co. clk.'s strm., attic.

135. TRANSFER JUDGE'S DOCKET (Criminal), 1915-35. 4 v. (1, 3-5). 1872-1914, 1936-- in Judge's Docket Common Law and Criminal, entry 129.

Judge's docket of criminal cases, showing case number, name of defendant, kind of action, court orders, and dates. Arr. by case no. No index. Hdw. and typed under pr. hdgs. 400 p. 15 x 13 x 3. Co. clk.'s vlt., 1st fl.

136. INHERITANCE TAX DOCKET, 1908-31. 1 v. 1905-7 in Probate Judge's (Judgment) Docket, entry 187; 1932-- in Transfer Judge's Docket Probate, entry 184.

Docket of inheritance taxes, showing names of estate, attorneys, appraiser and heirs, gross value of estate, amount of indebtedness, net value of estate, rate of interest, court order fixing tax, amount assessed against each heir, amount allowed appraiser, expenses and disbursements, witness fees, date of death of deceased, and date of fixing tax. Arr. by date of hearing. Indexed alph. by name of estate. Hdw. on pr. fm. 445 p. 18 x 12 x 2. Co. clk.'s vlt., 1st fl.

Justices' Dockets

137. JUSTICE DOCKET, 1853-1936. 45 v.

Docket and record of common law and criminal cases in justice of the peace courts, showing names of plaintiff, defendant, witnesses, and justices, kind of action, abstract of proceedings, and date of trial; also contains some chattel mortgages, 1871-1924. Arr. by date of trial. Indexed alph. by name of plaintiff. 1853-75, hdw.; 1876-1936, hdw. and hdw. on pr. fm. 400 - 600 p. 14 x 9 x 1 $\frac{1}{2}$ - 18 x 13 x 2 $\frac{1}{2}$. Co. clk.'s strm., attic.

138. POLICE MAGISTRATE DOCKET, 1889-98. 1 v.

Docket of cases in police magistrate court, showing names of plaintiff, defendant, attorneys, and police magistrate, nature of case, date of trial, and court orders. Arr. by date of trial. Indexed alph. by name of defendant. Hdw. under pr. hdgs. 600 p. 18 x 13 x 3. Co. clk.'s strm., attic.

Fee Books

139. COMMON LAW AND CRIMINAL FEE BOOK, 1872--. 6 v. (1-6). Title varies: Fee Book, v. 1-3, 1872-1912.

County clerk's record of common law and criminal fees received, showing names of plaintiff and defendant, number and nature of case, description, amount of fees, name of payer and date of payments. Arr. by case no. Indexed alph. by name of plaintiff in common law cases, and alph. by name of defendant in criminal cases. Hdw. on pr. fm. 580 p. 18 x 13 x 3. Co. clk.'s vlt., 1st fl.

Reports to the Court

140. REPORT OF SELECTION AND ACCEPTANCE OF COMMISSION OF JUDGES AND
CLERKS OF ELECTION, 1927--. 1 f.b.

Lists of persons selected to serve as judges and clerks of election and submitted to county court for confirmation, showing names and addresses of persons selected, town or election district to which assigned, and dates of notices of acceptance and filing. No obvious arr. No index. Typed under pr. hdgs. 11 x 5 x 14. Co. clk.'s vlt., 1st fl.

141. (REPORT OF PROBATIONERS), 1935--. 1 f.b.

Reports of probation officer to county and circuit courts, showing name of probationer, case number, amounts paid and due, remarks, and date of report. Arr. by date of report. No index. Typed. 10 x 10 x 2 $\frac{1}{2}$. Prob. officer's off., residence, Clinton, Ill.

142. (MONTHLY REPORT ON MOTHERS' AID FAMILIES), 1934--. 1 bdl.

Report on applications for mothers' aid, showing dates, name of family receiving aid, cause, amounts, allowance on last day of month, date of report, and signature of person reporting. Arr. by date of report. No index. Hdw. on pr. fm. 12 x 8 x $\frac{1}{2}$. Prob. officer's off., residence, Clinton, Ill.

Bonds

143. BAIL BOND RECORD, 1917-22. 1 v.

Record of bail bonds, showing names of defendant, sureties, and county clerk, date and amount of bond, nature of offense, and date of return. Arr. by date of return. Indexed alph. by name of defendant. Hdw. on pr. fm. 140 p. 18 x 13 x 1 $\frac{1}{2}$. Co. clk.'s vlt., 1st fl.

Probation

Adult

144. (PROBATION RECORD), 1937--. 3 v.

Adult probation record showing case number, name, address, and occupation of probationer, nature of charge, term of probation, amount of bond, date of report to probation officer, and recommendation to court for discharge. Arr. by case no. No index. Hdw. 20 p. 9 x 6 $\frac{1}{2}$ x $\frac{1}{2}$. Prob. officer's off., residence, Clinton, Ill.

Juvenile (See also
entry 119)

145. (CARD RECORD), 1937---. 1 f.b.

Copies of reports of probation officer, showing name of child, date and place of birth, sex, race, religion, legal residence, parents' names, address, date accepted for care, date of present placement, agency name, case number, type of present care, legal status of agency's care, name, address and relationship of child's legal guardian, if other than agency. Arr. alph. by name of child. No index. Hdw. 4 x 3 x 3. Prob. officer's off., residence, Clinton, Ill.

Mothers' Pension (See also
entries 119, 156)

146. (APPLICATION FOR AID TO MOTHERS AND CHILDREN), 1934---. 1 bdl.

Applications for mothers' pension, showing name of mother, address, place and date of birth, length of residence in Illinois, in county, and at present address; if foreign-born, date and place of naturalization; status of husband's physical condition, children under and over sixteen, names and addresses of relatives, certificate of official investigator, and date of report. Arr. by date of application. No index. Hdw. on pr. fm. 12 x 8 x 1. Prob. officer's off., residence, Clinton, Ill.

147. MOTHERS' PENSIONS, 1918-34. 1 v.

Record of mothers' pensions, showing names of mother and children, date of birth, age of children, court decree of amount awarded, dates of application, petition and court order, signatures of county judge, county clerk, state's attorney, and sheriff. Arr. by date of proceedings. Indexed alph. by name of mother. Hdw. on pr. fm. 324 p. 18 x 13 x 2. Co. clk.'s vlt., 1st fl.

Naturalization

(See also entries 119, 156
220[x], 252, 253)

148. NATURALIZATION RECORD - INTENTION AND FINAL, 1866-1906. 2 v. (A, 2).

Record of petitions and final certificates of naturalization, including naturalization of minors, 1899-1906, and showing names of alien, judge, sheriff, clerk and witnesses, nativity of alien, renunciation of foreign allegiance, oath of citizenship, signatures of clerk and alien, and dates of certificate and petition. Arr. by date of application. Indexed alph. by name of alien. Hdw. on pr. fm. 475 p. 18 x 12 x 2. Co. clk.'s vlt., 1st fl.

149. NATURALIZATION RECORD - SOLDIERS AND MINORS, 1866-98. 1 v.

Record of petitions and final certificates of soldiers and minors, showing name and nativity of alien, names of judge, sheriff, clerk and witnesses, oath of allegiance, renunciation of allegiance to foreign power, signatures of alien and clerk, and dates; soldiers' certificates also show class and length of service. Arr. by date of petition or certificate. Indexed alph. by name of alien. Hdw. on pr. fm. 400 p. 18 x 12 x 2. Co. clk.'s vlt., 1st fl.

Office Transactions

150. DEPUTY APPOINTMENTS, 1933--. 1 f.b.

Sheriff's appointment of deputies, showing names of sheriff and deputy, oath of deputy, dates of appointment and oath, and signatures of clerk and deputy sheriff. Arr. by date of appointment. No index. 1933, typed; 1934--, typed on pr. fm. 11 x 5 x 14. Co. clk.'s vlt., 1st fl.

151. INDEX (Attorneys' Receipts), 1938--. 1 f.b.

Receipts of attorneys for papers taken from files, showing names of attorneys, title of document, and dates of receipt and return. Arr. alph. by title of document. Hdw. on pr. fm. 11 x 5 x 14. Co. clk.'s off., 1st fl.

V. PROBATE COURT

Jurisdiction in probate matters in De Witt County was vested in a separate probate court from the organization of the county in 1839, until 1849. From 1839 to 1849, probate court in De Witt County was held by a probate justice of the peace who was elected by the county electorate for a four-year term;¹ the term was reduced in 1847 to two years.² The jurisdiction of the probate court was transferred to the newly created county court in 1849.³ The De Witt county court has retained probate jurisdiction from that date to the present.⁴

As enunciated by the present constitution and subsequent legislation, the jurisdiction of the court extends to all probate matters, the settlement of estates of deceased persons, the appointment of guardians and conservators and settlement of their accounts, all matters relating to apprentices, and cases of sales of real estate of deceased persons for payment of debts.⁵

Appeals may be taken from the final orders, judgments, decrees of the probate court to the circuit court of the county except in proceedings in applications of executors, administrators, guardians, and conservators for the sale of real estate. The appellant must give bond and security in such amount and upon such condition as the court shall require.

Aiding the court in its jurisdiction over the administration of intestate estates and the guardianship of minors, are the public administrator and the public guardian. Each officer is appointed quadrennially by the Governor with the advice and consent of the Senate. The public administrator and public guardian are required to enter into bonds set and approved by the court in sums not less than \$5,000.⁶ Their duties are performed under the direction and orders of the court. The records that result from their prescribed duties appear among the records of the court with those of other administrators, executors, and guardians.

When there is no relative or creditor who will administer an intestate estate, the court commits the administration to the public adminis-

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1. L. 1836-37, p. 176. From 1821 to 1837, probate court was held by a probate judge (L. 1821, p. 119,120).
 2. L. 1845, p. 28. Effective in 1847.
 3. Const. 1848, Art. V, sec. 16,18; L. 1849, p. 65.
 4. R.S. 1874, p. 339,340; L. 1933, p. 449,458.
 5. Const. 1870, Art. VI, sec. 20; L. 1877, p. 80.
 6. L. 1825, p. 70,72; R.L. 1829, p. 208; R.L. 1833, p. 627,628; R.S. 1845, p. 548; L. 1871-72, p. 89; L. 1881, p. 3; L. 1889, p. 165.

Probate Court

trator upon application of any person interested in the estate.¹ If a widow, next of kin, or creditor of the deceased appears within six months after the administration is granted to the public administrator, the court then revokes its grant of administration to the public administrator and orders letters of administration granted to such person interested in the estate. If, after all debts and charges against the estate which have been presented within two years after the administration of the estate was committed to such public administrator are fully paid, any balance of intestate estate remains, the administrator causes a notice to be published requiring persons still having claims against the estate to present them to the county court within six months. If no claims are presented, the balance is paid into the county treasury upon the expiration of the six-month period, the county remaining answerable to any future claims.²

As already noted, the court has authority to appoint guardians of minor heirs of deceased persons. In cases where the minor is under fourteen years of age the court appoints his guardian. When the minor is over fourteen he may nominate his own guardian, subject to the approval of the court.³ Under the direction of the court, the guardian is responsible for the custody, nurture, and tuition of his ward and the care and management of his estate. The court may assign the guardianship of the estate to one guardian and the custody, nurture, and tuition of the ward to another.⁴ Within sixty days after his appointment, the guardian returns to the court a complete inventory of the real and personal estate of the ward in the form prescribed by law.⁵ At the end of the first year of his appointment, and every three years thereafter, he makes a settlement of his accounts. When his trust is completed or upon the death of the ward, the guardian makes final settlement and delivers over to persons entitled to them the property and papers in his hands as guardian.⁶ Upon failure of a guardian appointed by the court to act within three months in this capacity, the court commits the guardianship of the minor to the public guardian.⁷ The latter's records appear with those of other guardians.

The probate justice of the peace, 1839 to 1849, performed the ministerial function of the probate clerk.⁸ From the establishment of the county

1. R.L. 1833, p. 628; R.S. 1845, p. 548; L. 1871-72, p. 89.

2. R.S. 1845, p. 549; L. 1871-72, p. 89,90.

3. L. 1831, p. 100; L. 1835, p. 36; R.S. 1845, p. 265,266; L. 1873-74, p. 107; L. 1919, p. 583; L. 1931, p. 618; L. 1937, p. 660.

4. L. 1871-72, p. 469; L. 1877, p. 114.

5. L. 1919, p. 582; L. 1933, p. 644.

6. L. 1871-72, p. 471; L. 1919, p. 583; L. 1929, p. 506.

7. L. 1889, p. 165.

8. L. 1837, p. 177,178; R.S. 1845, p. 427,428. The early probate judge was required to act as his own clerk (L. 1821, p. 119,120).

court in 1849, until the present, the county clerk has served, ex officio, as probate clerk.¹

The clerk is required to attend the sessions of court, issue all process, preserve all files and papers, make, keep, and preserve complete records of all the proceedings and determinations of the court, and perform all other duties pertaining to his office as required by law or the rules and orders of his court. He is required to enter of record all judgments, decrees, and orders of the court.²

The major records of the probate court kept by the clerk are the following:

1. Journal of all judicial proceedings and determinations of the judge.
2. A judgment docket with a direct and an indirect index: former, by name of claimant against estate; latter, by estate. In practice, the requirement of two indexes often leads to two dockets.
3. Books for recordation of bonds and letters of administrators, executors, guardians, and conservators; appraisal and sale bills; widows' relinquishment and selection of property; wills and the probate thereof; annual and final reports of administrators, executors, guardians, and conservators. Generally, each category of these probate business matters is recorded separately, but the segregation is not always carefully maintained.
4. Separate dockets of unsettled estates and claims against estates, and a ledger of the accounts of executors, administrators, and guardians. Note that the dockets of probate business matters are separated from dockets of court proceedings just as are the books of recordation of the two categories; the intention of the law to make this distinction is further shown in its granting the clerk, during vacation of the court, power to receive petitions, accept bonds, grant letters testamentary, etc.
5. Files of original documents not subject to recordation; indexes to such; records of office transactions in pursuance of the court's orders to the clerk, necessary in the latter's settlement with that body.³

1. Const. 1848, Art. V, sec. 16, 18; L. 1849, p. 63, 65; R.S. 1874, p. 339, 340.
 2. L. 1877, p. 82.
 3. L. 1821, p. 119, 120; R.L. 1829, p. 215, 231; L. 1837, p. 429; R.S. 1845, p. 427, 428; L. 1851, p. 193; L. 1859, p. 92, 94; R.S. 1874, p. 260-65; L. 1877, p. 83; L. 1935, p. 293.

Proceedings of Court

General Proceedings

152. GENERAL INDEX PROBATE, 1839--. 1 v. (1).
County clerk's index to probate and miscellaneous files including, common law, insanity, naturalization, adoption, certificates of good moral character, dependent and delinquent, feeble-minded, mothers' pension, deaf, dumb, epileptic, estate claims and inheritance tax cases, showing file box and case numbers, and type of case. Arr. alph. by name of principal party. Typed under pr. hdgs. 450 p. 16 x 12 x 3. Co. clk.'s vlt., 1st fl.

Probate Files

153. (PROBATE FILES), 1839--. In (Common Law and Probate Files), entry 119.

Files of probate case papers including:

- i. Administrators' petitions, oaths, bonds, letters, inventories, accounts current and final, report records, and proofs of will, 1839--.
- ii. Conservators' papers of the same type as those listed above, 1854--.
- iii. Copartnership inventory and appraisement bills, 1874--.
- iv. Guardians' papers of the same type listed for administrators and conservators, 1854--.
- v. Executors' papers of the same type listed for administrators, conservators, and guardians, 1839--.

154. ESTATE CLAIMS, 1931--. 2 f.b. (A-K, L-Z).
County clerk's files of claims pending against unsettled estates, showing names of estate and claimant, date, description and amount of claim, affidavit of claimant, and date of filing. Arr. alph. by name of estate. For index, see entry 152. Hdw. on pr. fm. 11 x 5 x 14. Co. clk.'s vlt., 1st fl.

155. APPROVED FILES; FILES TO BE RECORDED; UNAPPROVED FILES (Probate Files), 1933--. 4 f.b.

Files of probate pending cases, showing names of estate, heirs and administrator, executor, guardian, or conservator, and dates. No obvious arr. No index. Hdw. on pr. fm.; typed on pr. fm.; typed. 11 x 5 x 14. Co. clk.'s off., 1st fl.

Probate Journal

156. PROBATE JOURNAL, 1839--. 38 v. (A, B, 3-38). Title varies: Probate Docket, v. A, B, 1839-54; Probate Record, v. 3-7, 1855-74.
Record of probated estates, showing names of estate, administrative officials, heirs, and sureties; date, amount and terms of bond; court proceedings and orders. This record includes copies of bonds of county officers, 1874-1933; bonds of city officials, Clinton, 1911-31; election records, 1917-18; tax levies, 1897-1930; drainage district proceedings for Wapolla,

(157-161)

Probate Court - Proceedings of Court

Texas, Nixon, Harmony, De Witt, Green Valley, Goose Creek, Friends' Creek, and Barnett drainage districts, 1904-21; mothers' pension record, 1915--; inheritance tax record, 1906--; adoption record, 1888--; and naturalization record, 1891-1905. Arr. by date of entry. Indexed alph. by name of estate or subject. 1839-1905, hdw.; 1906--, typed. 600 p. 18 x 13 x 3. Co. clk.'s vlt., 1st fl.

157. AFFIDAVIT OF NOTICE FOR CREDITORS TO APPEAR, 1868--.

3 v. (1, 1868-1921; 2, 3, 1915--).

Copies of administrators' or executors' affidavits of publication and posting notice for creditors to appear, showing names of estate, administrator or executor, and attorney, name of paper publishing notice, date of adjustment, amount of fees, court term, and date of filing. Arr. by date of filing. Indexed alph. by name of estate. 1868-1921, hdw. on pr. fm.; 1915--, typed on pr. fm. 500 p. 18 x 13 x 3. Co. clk.'s vlt., 1st fl.

158. (PROBATE CLAIM RECORD), 1867-68. 1 v.

Record of probate claims, showing dates, names of estate, administrator, claimant, judge, county clerk, and sheriff, amounts of claim and judgment, and court term. Arr. by date of court term. Indexed alph. by name of estate. Hdw. on pr. fm. 580 p. 18 x 13 x 2. Co. clk.'s strm., attic.

Wills, Bonds, Letters (See also entry 153)

159. RECORD OF WILLS, 1862--. 6 v. (1-6). 1850-61 in Record of

Letters and Wills (Record of Letters), entry 165.

Probate record of wills, showing date, names of deceased, heirs, executor, and witnesses, description and valuation of estate, proof of death and will, provisions of will, and date of filing. Arr. by date of filing. Indexed alph. by name of deceased. 1862-1904, hdw. on pr. fm.; 1905--, typed. 600 p. 18 x 13 x 3. Co. clk.'s vlt., 1st fl.

160. ADMINISTRATORS' RECORD, 1866--. 11 v. (A-K),

Copies of administrators' petitions, bonds, oaths, and letters, showing date, names of estate, petitioner, sureties, and administrator, amount and obligations of bond, and date of filing. Arr. by date of filing. Indexed alph. by name of estate. Hdw. on pr. fm. 300 p. 18 x 13 x 3. Co. clk.'s vlt., 1st fl.

161. GUARDIANS' RECORD, 1866--. 7 v. (1-7).

Copies of guardians' petitions, bonds, letters, and oaths, showing names of estate, guardians, wards, and sureties, date, amount, and obligations of bond, and date of filing. Arr. by date of filing. Indexed alph. by name of ward. Hdw. on pr. fm. 600 p. 18 x 13 x 3. Co. clk.'s vlt., 1st fl.

162. EXECUTORS' RECORD, 1867--. 7 v. (1, 3-8).

Copies of executors' petitions, oaths, bonds, and letters, showing dates, names of estate, executor, and sureties, date, amount and terms of bond, date of letters testamentary, and date of filing. Arr. by date of filing. Indexed alph. by name of estate. Hdw. on pr. fm. 300 p. 18 x 13 x 3. Co. clk.'s vlt., 1st fl.

163. CONSERVATORS' RECORDS, 1871--. 4 v. (A-D).

Copies of conservators' petitions, bonds, oaths, and letters, showing names of estate, conservator, and insane or incompetent person, amount and obligations of bond, names of sureties, and date of filing. Arr. by date of filing. Indexed alph. by name of ward. Hdw. on pr. fm. 200 p. 18 x 13 x 2. Co. clk.'s vlt., 1st fl.

164. ADMINISTRATORS' RECORD DE BONIS NON, 1876-94, 1905--.

2 v. (A, 1876-94; 1, 1905--). Title varies: Probate Bonds and Letters, Miscellaneous, v. A, 1876-94.

Record of petitions, oaths, bonds, and letters of administrator de bonis non, 1905--, administrator with will annexed, 1879--, and administrator de bonis non with will annexed, 1908--, showing date, names of estate, petitioner, administrator, and sureties, date, amount, and conditions of bond, and date of filing. Arr. by date of filing. Indexed alph. by name of estate. Hdw. on pr. fm. 600 p. 18 x 13 x 3. Co. clk.'s vlt., 1st fl.

165. RECORD OF LETTERS AND WILLS (Record of Letters), 1850-1901.

2 v. (1 not labeled, 2).

Record of letters of administrators and guardians; also administrators with will annexed, 1850-79, showing date, names of deceased, estate, administrator or guardian, date and provisions of will, names of witnesses, dates of letters and filing. Also contains Record of Wills, 1850-61, entry 159. Arr. by date of filing. 1850-65, indexed alph. by name of estate, 1866-1901, no index. Hdw. 450 - 600 p. 16 x 12 x 2 $\frac{1}{2}$ - 18 x 13 x 3. Co. clk.'s vlt., 1st fl.

Heirship

166. PROOF OF HEIRSHIP, 1917--. 2 v. (1, 2).

Record of proof of heirship, showing date, names of estate and heirs, affidavits of proof of death and heirship, relationship, court decrees, and date of filing. Arr. by date of affidavit. Indexed alph. by name of estate. Typed on pr. fm. 600 p. 18 x 13 x 2 $\frac{1}{2}$. Co. clk.'s vlt., 1st fl.

Inventories and Appraisements (See also entry 153)

167. INVENTORY RECORD, 1881--. 12 v. (F-Q). 1859-80 in Appraisement and Sale Record, entry 173.

Record of inventories of real and personal property of estates, showing date, names of estate and administrator, itemized list of chattels and notes, description and value of property, accounts receivable, and date of

filing. Also contains Guardians' Inventory Record, 1932--, entry 168; Conservators' Inventory Record, 1881-1903, 1931--, entry 170. Arr. by date of filing. Indexed alph. by name of estate. 1881-1932, hdw. on pr. fm.; 1933--, typed. 210 - 500 p. 18 x 13 x 1½ - 18 x 13 x 3. Co. clk.'s vlt., 1st fl.

168. GUARDIANS' INVENTORY RECORD, 1874-1904, 1911-31. 2 v. (1, 3). 1859-73 in Appraisement and Sale Record, entry 173; 1905-10 in Guardian Inventory and Conservatorship, entry 169; 1932-- in Inventory Record, entry 167.

Record of inventories of real and personal property of estates, showing date, names of estate, minors, and guardian, legal description of real estate, itemized list and value of chattels, amounts of cash on hand, annuities, and credits, and date of filing. Also contains Conservators' Inventory Record, 1904, entry 170. Arr. by date of filing. Indexed alph. by name of minor. Hdw. on pr. fm. 100 - 420 p. 18 x 13 x 1½ - 18 x 13 x 3. Co. clk.'s strm., attic.

169. GUARDIAN INVENTORY AND CONSERVATORSHIP, 1905-19. 1 v.

Inventories of estates of minors and wards, showing names of deceased minor or ward, guardian or conservator, and judge; description and value of real and personal property, amount of annuities and credits, affidavit of guardian or conservator, court term and dates of approval and filing. Guardians' Inventory Record, entry 168; and Conservators' Inventory Record, entry 170, kept separately for different periods of time. Arr. by date of filing. Indexed alph. by name of minor or ward. Hdw. on pr. fm. 100 p. 18 x 13 x 1½. Co. clk.'s strm., attic.

170. CONSERVATORS' INVENTORY RECORD, 1920-30. 1 v. 1881-1903, 1931-- in Inventory Record, see entry 167; 1904 in Guardians' Inventory Record, entry 168; 1905-19 in Guardian Inventory and Conservatorship, entry 169.

Inventories of estates of wards, showing names of deceased, ward, conservator and judge, description and value of real and personal property, amounts of annuities and credits, affidavit of conservator, and dates of approval, court term and filing. Arr. by date of filing. Indexed alph. by name of ward. Hdw. on pr. fm. 100 p. 18 x 13 x 1½. Co. clk.'s strm., attic.

171. CO-PARTNERSHIP APPRAISEMENT AND INVENTORY RECORD, 1875-1922. 1 v. Record of copartnership inventory and appraisement bills of estates, showing names of estate, surviving partner and appraisers, warrant to appraisers, oath and bill of appraisers, list of articles and value, oath of surviving partner, signatures of appraisers and county clerk, and date of filing. Arr. by date of filing. Indexed alph. by name of estate or partners. Hdw. on pr. fm. 150 p. 18 x 13 x 2. Co. clk.'s vlt., 1st fl.

172. APPRAISEMENT RECORD, 1879--. 6 v. (G-L). 1859-78 in Appraisement and Sale Record, entry 173.

Record of appraisements of estates, showing names of estate, heirs, and appraiser, court order appointing appraiser, dates of oath and acknowledgment, itemized statement and value of real estate and personal property, total value, appraisement bill, amount of allowance to widows and minor children, and date of filing. Arr. by date of filing. Indexed alph. by name of estate. Hdw. on pr. fm. 286 p. 18 x 13 x 3. Co. clk.'s vlt., 1st fl.

173. APPRAISEMENT AND SALE RECORD, 1859-90. 5 v. (A, B, D-F). Title varies: Inventory, Appraisement, and Sale Bill, v. A, 1859-65; V.D, 1865-72.

Record of appraisements and inventories of estates, showing date, names of estate, appraiser, and administrator, itemized list of chattels, legal description of real estate, amounts of notes and accounts receivable and payable, appraiser's warrants for fees, oaths, sale bills, and estimates, date and amount of sale, balance in estate, and date of filing. Appraisement Record, entry 172; Personal Property Sale Record - Private Sale, entry 178; Personal Property Sale Record - Public Sale, entry 179; Personal Property Sale Record, entry 180, subsequently kept separately. Also contains Inventory Record, 1859-80, entry 167; Guardians' Inventory Record, 1859-73, entry 168, Arr. by date of filing. Indexed alph. by name of estate. 1859-66, 1887, hdw.; 1865-90, hdw. on pr. fm. 260 - 600 p. 18 x 13 x 2 - 18 x 13 x 3. Co. clk.'s vlt., 1st fl.

174. INSOLVENT RECORD, 1877-1901. 1 v.

Record of insolvent estates cases, showing names of estate and assignee, amount of bond of assignment, names of sureties, description and value of real and personal property, certification of assignee, dates of court term and certification. Arr. by date of entry. Indexed alph. by name of estate. Hdw. 588 p. 18 x 13 x 3 $\frac{1}{2}$. Co. clk.'s strm., attic.

175. INSOLVENCY RECORD, 1876-94. 1 v.

Record of insolvent estates, showing date, names of estate and widow, inventory and appraisement of estate, administrator's certification that valuation of estate does not exceed widow's allowance, order declaring estate insolvent, and dates of filing. Arr. by date of filing. Indexed alph. by name of estate. Hdw. on pr. fm. 228 p. 18 x 13 x 1 $\frac{1}{2}$. Co. clk.'s strm., attic.

Widows' Relinquishment
and Selection

176. WIDOWS' RELINQUISHMENT AND SELECTION (Record), 1871--. 4 v. (A-D).

Record of property selected or relinquished by widows, showing date, names of estate and widow, items and total value of selected or relinquished property, balance due widow on award, and date of filing. Arr. by date of filing. Indexed alph. by name of estate. 1871-1917, hdw. on pr. fm.; 1918--, typed on pr. fm. 130 - 620 p. 18 x 13 x 2 - 18 x 13 x 3. Co. clk.'s vlt., 1st fl.

Petitions, Decrees,
Reports of Sale (See also
entry 153)

177. PROCEEDINGS OF PETITION TO SELL REAL ESTATE, 1867--. 7 v. (A-G). Copies of petitions to sell real estate, showing date, names of estate, claimants, and petitioner, decrees of court, notice of sale, name of purchaser, date, amount and report of sale, and date of filing. Arr. by date of sale. Indexed alph. by name of estate. 1867-1906, hdw. on pr. fm.; 1907--, typed. 500 p. 18 x 13 x 3. Co. clk.'s vlt., 1st fl.

178. PERSONAL PROPERTY SALE RECORD - PRIVATE SALE, 1897--. 2 v. (I, J). 1859-78 in Appraisement and Sale Record, entry 173; 1879-96 in Personal Property Sale Record, entry 180.
Record of personal property sold at private sale, showing date, names of estate, administrator, and purchaser, petition and order for sale, certificate of publication, itemized list of articles sold, date, amount, terms, and place of sale, and date of filing. Arr. by date of filing. Indexed alph. by name of estate. Hdw. on pr. fm. 250 p. 18 x 13 x 3. Co. clk.'s vlt., 1st fl.

179. PERSONAL PROPERTY SALE RECORD - PUBLIC SALE, 1897--. 2 v. (H, I). 1859-78 in Appraisement and Sale Record, entry 173; 1879-96 in Personal Property Sale Record, entry 180.
Record of personal property sold at public sale, showing date, names of estate, administrator, and purchaser, petition and order for sale, certificate of publication, itemized list of articles sold, date, amount, terms, and place of sale, and date of filing. Arr. by date of sale. Indexed alph. by name of estate. 1897-1929, hdw. on pr. fm.; 1930--, typed. 250 p. 18 x 13 x 3. Co. clk.'s vlt., 1st fl.

180. PERSONAL PROPERTY SALE RECORD, 1879-96. 1 v. 1859-78 in Appraisement and Sale Record, entry 173.
Record of sales of personal property sold at public or private sale, showing date, names of estate, administrator, and purchaser, itemized list of articles sold, amounts, terms, date, and place of sale, amount of allowance to widow, and date of filing. Subsequently kept as Personal Property Sale Record - Private Sale, entry 178, and Personal Property Sale Record - Public Sale, entry 179. Arr. by date of sale. Indexed alph. by name of estate. Hdw. on pr. fm. 250 p. 18 x 13 x 3. Co. clk.'s vlt., 1st fl.

Reports, Current and
Final Accounts

181. CURRENT REPORT RECORD, 1871--. 10 v. (A-G, I-K).
Record of reports submitted by administrator, executor, guardian, or conservator, showing date, names of estate and administrative officer, amounts of receipts and disbursements, balance due estate, recapitulation, and date of filing. Also contains Final Report Record, 1871-85, entry 182. Arr. by date of filing. Indexed alph. by name of estate. Hdw. on pr. fm. 500 p. 18 x 13 x 3. Co. clk.'s vlt., 1st fl.

182. FINAL REPORT RECORD, 1886--. 10 v. (C, H, J-Q). 1871-85 in Current Report Record, entry 181.

Record of final reports by administrator, executor, guardian, or conservator, showing names of estate, and administrative officer, amount of receipts and disbursements, recapitulation, balance due estate, petition for and order of discharge by court, and date of filing. Arr. by date of filing. Indexed alph. by name of estate. Hdw. on pr. fm. 300 p. 18 x 13 x 3. Co. clk.'s vlt., 1st fl.

183. PROBATE LEDGER, 1843--. 3 v. (1 not labeled, 1843-72; B, 1872-96; C, 1894--).

Ledger of estate accounts, showing names of estate and administrator, amounts of receipts and disbursements, balance on hand, and dates. 1843-96, arr. by date of receipt or disbursement; 1894--, no obvious arr. 1843-96, no index; 1894--, indexed alph. by name of estate. Hdw. under pr. hdgs. 300 p. 18 x 13 x 3. 1 v. not labeled, v. B, 1843-96, co. clk.'s strm., attic; v. C, 1894--, co. clk.'s vlt., 1st fl.

Dockets

184. TRANSFER JUDGE'S DOCKET PROBATE, 1926--. 2 v. (1 not labeled, 1926-36; A, 1931--).

Probate judge's transfer docket showing names of estate, executor, administrator, administrator de bonis non, administrator with will annexed, or administrator de bonis non with will annexed, attorneys, and bondsmen, date of death, date of letters, amount of bond, type and date of instrument, and court orders. Also contains Inheritance Tax Docket, 1932--, entry 136. Arr. alph. by name of estate. No index. Hdw. under pr. hdgs., and typed under pr. hdgs. 400 p. 14 x 12 x 3. Co. clk.'s vlt., 1st fl.

185. JUDGE'S DOCKET PROBATE MISCELLANEOUS, 1927--. 2 v. (1 v., 1927-35, 1 v., 1931--).

Probate judge's miscellaneous docket including guardianship, conservatorship, adoption, mothers' pension, dependency, delinquency, tax objections and judgment by confession, showing names of principal party, attorneys, kind of instrument, dates and orders of court. 1927-35, arr. by subject; 1931--, arr. alph. by name of principal party. Hdw. under pr. hdgs. 400 p. 14 x 12 x 3. Co. clk.'s vlt., 1st fl.

186. TRANSFER DOCKET UNSETTLED ESTATE (Pending Cases), 1927--. 1 v. Docket of pending probate cases, showing names of estate, executor, administrator, administrator de bonis non, administrator with will annexed, administrator de bonis non with will annexed, attorneys, and bondsmen, date of death, date of letters, amount of bond, type and date of instrument, and court orders. Arr. alph. by name of estate. No index. Hdw. and typed under pr. hdgs. 200 p. 14 x 12 x 2. Co. clk.'s vlt., 1st fl.

187. PROBATE JUDGE'S (Judgment) DOCKET, 1859-1912. 9 v. (A-I). Title varies: Probate Judgment Docket, v. A-D, 1859-80; Judge's Docket, v. H, 1895-1902.

Judge's probate docket showing case number, names of estate, administrative officer, and claimant, nature of case, dates and amounts of claims and judgment, court orders, and date of filing. Volume I, 1902-12, contains claims filed against estates only after 1904. Also contains Insanity Docket, 1859-92, entry 131; Inheritance Tax Docket, 1905-7, entry 136; Judge's Docket Probate, 1859-1903, entry 188. Arr. by date of court proceedings. No index. Hdw. on pr. fm. 308 p. 18 x 13 x 3. V. A-H, 1859-1902, co. clk.'s strm., attic; v. I, 1903-12, co. clk.'s vlt., 1st fl.

188. JUDGE'S DOCKET PROBATE, 1904-28. 6 v. (1 not labeled, K-O).

1859-1903 in Probate Judge's (Judgment) Docket, entry 187.

Probate judge's docket showing case number, name of estate, kind of action, court orders, and date of filing. Arr. by date of filing. No index. Hdw. under pr. hdgs. 300 p. 12 x 13 x 3. 1 v. not labeled, 1904-7, co. clk.'s strm., attic; v. K-N, 1908-25, co. clk.'s vlt., 1st fl.; v. O, 1924-28, co. clk.'s off., 1st fl.

189. GUARDIANS' DOCKET, 1866-74. 1 v.

Docket of guardianship cases, showing names of estate, guardian and heirs, ages of heirs, date of letter, amount of bond, and names of sureties, amount current, amounts of debits and credits, and book and page of entry. Only eighteen pages in volume used. Arr. by date of filing. No index. Hdw. on pr. fm. 215 p. 18 x 13 x 2½. Binding poor. Co. clk.'s vlt., 1st fl.

190. GUARDIANS' DOCKET (Bonds), 1866-84. 1 v.

Docket of guardians' bonds and settlement in probate, showing names of estate, guardian, sureties, and heirs, ages of heirs, amount of bond, date of appointment of guardian, amount of settlement, orders of court, and remarks. Arr. alph. by name of estate. No index. Hdw. under pr. hdgs. 250 p. 17 x 15 x 2. Co. clk.'s vlt., 1st fl.

191. DOCKET OF UNSETTLED ESTATES (Clerk's), 1914-19. 1 v.

Clerk's estate docket showing names of estate, executor or administrator, widow and heirs, date of letters, amount of bond, names of sureties, dates of inventory, appraisal and filing of sale bill, amount of sale bill, widow's award and selection, appraisement bill, and court remarks. Arr. by date of filing. Indexed alph. by name of estate. Typed on pr. fm. 290 p. 18 x 13 x 3. Co. clk.'s vlt., 1st fl.

192. PROBATE ESTATE DOCKET, 1854-74. 1 v.

Docket of court proceedings on estates in probate, showing names of estate, administrator, executor, widow, heirs, and sureties, dates of inventory, appraisement, sale and approval, widow's award or selection, and remarks. Arr. by date of proceedings. Indexed alph. by name of estate. Hdw. on pr. fm. 289 p. 18 x 13 x 3. Co. clk.'s strm., attic.

Fee Books

193. PROBATE FEE BOOK, 1857--. 13 v. (A-C, E-I, K-O).

Record of fees received in probate cases, including guardians' and conservators' fees, 1857-1915, and insanity fees, 1866-1915, showing date, case number, description and amount of fees, date of payment and name of payer. Subsequent to 1915, guardians', conservators', and insanity fees are kept separately in Probate Fee Book (Guardians, Conservators, and Insanity), entry 194. Also contains Claimants', Fee Book, 1857-67, 1884--, entry 195. Arr. by date of receipt. Indexed alph. by name of estate. Hdw. on pr. fm. 420 p. 18 x 13 x 3. V. A, 1857-66, co. clk.'s strm., attic; v. B-C, E-I, K-O, 1867--, co. clk.'s vlt., 1st fl.

194. PROBATE FEE BOOK (Guardians, Conservators, ans Insanity), 1916--.

1 v. (J). 1857-1915 in Probate Fee Book, entry 193.

Record of fees in guardians', conservators', and insanity cases, showing date, case number, names of estate, alleged insane person, and guardian or conservator, description and amount of fees, and date and by whom paid. Arr. by date of payment. Indexed alph. by name of estate. Hdw. on pr. fm. 400 p. 18 x 13 x 3. Co. clk.'s vlt., 1st fl.

195. CLAIMANTS' FEE BOOK, 1868-83. 1 v. 1857-67, 1884-- in Probate Fee Book, entry 193.

Record of fees in probate cases, showing names of claimant and deceased, description and amount of fees, and court term. Arr. by date of entry. Indexed alph. by name of claimant. Hdw. on pr. fm. 420 p. 18 x 13 x 2½. Co. clk.'s vlt., 1st fl.

VI. CIRCUIT COURT

The circuit court has original jurisdiction of all causes in law and equity and acts as a court of appeals in probate matters and causes cognizable by the county court and justices of the peace.¹ In addition, it is one of the courts capable of exercising naturalization jurisdiction according to Federal statutes.² This court has the power to make such rules as it may deem expedient regulating dockets, calendars, and the conduct of its business, subject, however, to rules promulgated by the Supreme Court and not inconsistent with statutory requirements.³

The circuit court in De Witt County was held by a circuit judge appointed by the General Assembly from 1839 to 1841.⁴ In 1841 additional associate justices of the Supreme Court were appointed by joint ballot of the General Assembly, which justices, together with the other justices of the Supreme Court, held the circuit courts.⁵ Then in 1849 another change was made in accordance with the second constitution which provided for the election of circuit judges by the judicial district electorate.⁶ The Constitution of 1870 altered the circuit districts and established population requirements for counties that may comprise a circuit.⁷ From 1849 to the present the circuit judges have been elected officers of the judicial district electorate. The sixth circuit is made up of six counties, one of which is De Witt.⁸

Three circuit judges who serve for six-year terms are elected for the district. Before entering upon the duties of his office, each circuit judge is required to subscribe to an oath which he files with the Secretary of State.⁹ In 1835 the salary of the circuit judge was \$750 per annum.¹⁰ The Constitution of 1870 fixed the salary at \$3,000 until otherwise provided by law.¹¹ The compensation of the judges has undergone many modifi-

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1. Const. 1870, Art. VI, sec. 12; L. 1871-72, p. 109; R.S. 1874, p. 314; L. 1895, p. 189; L. 1933, p. 688; L. 1935, p. 1.
 2. 2 U.S. Stat. 155; U.S.R.S. 1789-1874, p. 378-80; 34 U.S. Stat. 596; 37 U.S. Stat. 737; 44 U.S. Stat. 709. Circuit courts still retain naturalization jurisdiction, but do not exercise it where U.S. District Courts are convenient.
 3. L. 1933, p. 786.
 4. L. 1835, p. 150, 151.
 5. L. 1841, p. 173; R.S. 1845, p. 143.
 6. Const. 1848, Art. V, sec. 7, 15.
 7. Art. VI, sec. 13.
 8. L. 1933, p. 435.
 9. Const. 1870, Art. VI, sec. 12; L. 1933, p. 436.
 10. L. 1835, p. 167.
 11. Art. VI, sec. 16.

Circuit Court

cations over a period of time, the tendency being toward increases rather than decreases. Some of the recent changes have been: for judges elected from 1919 to 1925, \$6,500;¹ for the period from 1925 to 1933, \$8,000;² after the first Monday in June 1933 it was \$7,200,³ until 1939 when it was again increased to \$8,000.⁴ The salaries are paid from the state treasury.

The hearings of several of the election contests are held before this court. Jurisdiction is granted to the court to hear and determine contests of the election of judges of the Supreme Court, judges of the circuit court, and members of the State Board of Equalization; but no judge of the circuit court is allowed to sit upon the hearing of any case in which he is a party.⁵ The circuit court also hears and determines the election contests of some of the local and county officers. These include contests of judge of the county court, mayors of cities, president of the county board, presidents of villages, elections in reference to removal of county seats and in reference to any other subject which may be submitted to the vote of the people of the county. The circuit court has concurrent jurisdiction with the county court in cases of contested elections under the latter's jurisdiction.⁶

Included under the jurisdiction of the circuit court are also appeals from the Illinois Commerce Commission's rules, regulations, orders, or decisions. Such appeals may be taken to the circuit court serving De Witt County when the subject matter of the hearing is situated in this county. The appeal may be heard for the purpose of having the reasonableness or lawfulness of the rule, regulation, order, or decision inquired into and determined.⁷

To expedite the handling of litigation, a branch circuit court may be held at the same time that the main or regular circuit court for De Witt County is in session. A branch court is held by any circuit judge of this circuit or by a judge of any other circuit called in for the purpose of hearing and deciding motions and settling the issues in any or all causes pending in the circuit court, and for the purpose of hearing chancery causes and cases at law which are pending in such court for that term. The presiding judge of the main circuit court assigns to the branch court as many of the law and chancery cases as the presiding judge of the branch court will possibly have time to hear.⁸

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1. L. 1919, p. 553,554.
 2. L. 1925, p. 400; L. 1931, p. 148.
 3. L. 1933, p. 621.
 4. L. 1937, p. 189,606. Effective in 1939.
 5. L. 1899, p. 152.
 6. L. 1871-72, p. 396; L. 1895, p. 170.
 7. L. 1921, p. 742,743.
 8. L. 1873-74, p. 82,83; L. 1905, p. 146.

Also, to aid in the speedy administration of justice, the judges, or the majority of them, may by an order entered of record in the office of the clerk of the circuit court, dispense with either or both the grand and petit juries for any term or part of term of the circuit court, and may designate what term or portion thereof shall be devoted to criminal business, and what term or portion thereof to civil business.¹

Each of the three judges of the circuit court is authorized to appoint one official shorthand reporter. This appointee is required to be skilled in verbatim reporting and is not allowed to hold more than one such official appointment. The appointment is in writing and is required to be filed in the office of the auditor of public accounts. The reporter holds office until his appointment is revoked by the appointing judge or until the termination of the judge's term. When the official reporter is absent or disabled, the presiding judge may appoint any other competent reporter to act during such absence or disability. The substitute is paid for his services by the official reporter. The reporter causes full stenographic notes of the evidence in all trials before the court to be taken down and transcript of the same to be correctly made if desired by either party to the suit, their attorneys, or the judge of the court. Each of the reporters receives and is paid out of the state treasury an annual salary of \$3,240. The salaries are paid out monthly on the warrant of the auditor of public accounts.²

The probation officer for adult probationers is an appointee of the circuit court.³ His services extend throughout the county. Courts exercising criminal or quasi-criminal jurisdiction are given power to release on probation, adult or juvenile offenders found guilty of committing certain specified offenses.⁴ In the performance of his prescribed duties, the probation officer principally serves the county and circuit courts. He is required to give bond as determined by the circuit court in a sum not exceeding \$5,000 and is subject to the rules of and removal by the appointing court.⁵ De Witt County has one probation officer under the law of 1915, providing for one such officer for each fifty thousand, or fraction thereof, of population.⁶

The probation officer is compensated at a rate determined by the county board. In the performance of his duties, he is required to investigate the cases of defendants requesting probation; notify the court of previous con-

1. L. 1835, p. 167,168; L. 1933, p. 441,442.

2. Ibid., p. 463,464.

3. L. 1911, p. 280.

4. Ibid., p. 277.

5. Ibid., p. 280,281; L. 1915, p. 380,381.

6. Ibid., p. 380. School census to be basis for determining population.

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viction or probation; make reports to the respective courts; keep a set of records as described below; take charge of, and watch over, all persons placed on probation in his county, and all probationers moving from another county into his county. He is also required to notify probation officers in other counties of any probationers under his supervision who may move into those counties.¹

The reports made by the probation officer to the courts are kept by the clerk in the respective cases. The courts' probation records include orders granting or refusing release on probation, probationers' bonds, the reports of probation officers noted above, and discharge of probationers.

The probation officer is required to keep complete accurate records of investigated persons, the action of the court, and the subsequent history of probationers. These are not public records but are open to inspection by any judge or any probation officer pursuant to a court order.²

Unlike the judges of the circuit court who are elected by the judicial district electorate, the clerk of this court is elected by the county electorate.³ This official performs the ministerial duties of the circuit court of De Witt County and files and preserves its records as well as those of the branch circuit courts.⁴ He is commissioned by the Governor and before entering upon the duties of his office gives bond with sureties which are approved by any two of the judges of the court. His bond is given in the sum of not less than \$5,000 as agreed upon by the judges. The oath to which he subscribes is filed with the Secretary of State.⁵ The compensation of the clerk of the circuit court is fixed by the county board within the limits set by the constitution. In counties the size of De Witt with a population of 18,244, the compensation of the clerk of the circuit court is not to exceed \$1,500 a year.⁶ If a vacancy occurs in this office and the unexpired term does not exceed one year, the court is required to fill such vacancy by appointment of a clerk pro tempore. The appointee is then required to qualify for office in the same manner as the regularly elected clerk of the circuit court. When the appointment is made, the court notifies the Governor of the filled vacancy. The Governor in turn, as soon as practicable, issues a writ of election for the circuit court clerk.⁷

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1. L. 1911, p. 281,282; L. 1915, p. 381,382.
 2. L. 1911, p. 277-84; L. 1915, p. 378-84.
 3. Const. 1848, Art. V, sec. 7,21,29; Const. 1870, Art. X, sec. 8.
 4. L. 1905, p. 147.
 5. R.S. 1874, p. 260.
 6. Const. 1870, Art. X, sec. 10.
 7. L. 1873-74, p. 95.

The clerk of the circuit court was first appointed by the circuit judge in De Witt County.¹ He kept a record of all the oaths that he administered and certified a copy annually to the Secretary of State.² The clerk preserved a complete record of all proceedings and determinations of the court of which he was clerk.³ At each term of the circuit court, the clerk inquired into the condition and the treatment of prisoners and was required to see that all prisoners were humanely treated.⁴ This authority was in later years, and is at present, delegated to the circuit court.⁵ One of the early requisites of this office was for the clerk of the circuit court to reside near the county seat in order that he could attend to his duties daily. In the event that it were not possible for him to be in daily attendance, the presiding judge was to fill such vacancy.⁶ The Constitution of 1848 made the clerk of the circuit court an elective officer of the county for a four-year term. This arrangement has continued until the present.⁷

The clerk is able to perform the several duties of his office with the aid of his staff which consists of assistants and deputy clerks who are appointed by him in a number determined by rule of the circuit court.⁸ This order is entered as of record and the compensation of such assistants and deputies is set by the county board.⁹

Among the records kept by the clerk for the circuit court are the following:

1. Books of record of the proceedings and judgments of the court with alphabetical indexes by parties. Proceedings are recorded at length only in cases designated by law, or when the court at the motion and assumption of expense by one of the parties, so orders. In practice, from an early date the court record has been broken down into segregated types of proceedings and judgments.
2. "Plaintiff-Defendant Index to Court Records" and "Defendant-Plaintiff Index to Court Records," intended to be separate records, but frequently combined in a single volume with the two indexes segregated in each volume.

1. Const. 1818, Art. IV, sec. 6; R.L. 1833, p. 152; R.S. 1845, p. 146.

2. L. 1819, p. 349.

3. R.L. 1829, p. 44; R.L. 1833, p. 152; R.S. 1845, p. 147.

4. R.L. 1827, p. 248.

5. R.S. 1874, p. 616; L. 1923, p. 424.

6. R.L. 1829, p. 35.

7. Const. 1848, Art. V, sec. 29; Const. 1870, Art. X, sec. 9.

8. L. 1831, p. 49; Const. 1870, Art. X, sec. 9.

9. Ibid.

3. A general docket in which all suits are entered in the order they are commenced.
4. A judgment and execution docket containing a column for the entry of satisfaction or other disposition. In practice, an execution docket is frequently set up independently.
5. Additional dockets, designated as the clerk's, judge's, and bar docket. In practice, the bar docket has tended to drop out of use.
6. A fee book in which costs and fees are to be entered under the proper title of the case. In practice, separate series of volumes are maintained under such titles of causes.
7. Transcripts of proceedings in appeals from justices', city, and foreign courts, dockets thereof, and transcripts of judgments for liens, etc., from the former. Separate well-bound books are required to be kept for each city court. These books are to contain an alphabetical docket of all judgment decrees rendered in the city court. They also provide for entry of data relating to the filing of the transcript with the corresponding number of the transcript.¹
8. Naturalization proceedings from petitions to final certificates; Federal statutes allow the circuit court to exercise jurisdiction.²
9. Reports to the court from its designated masters in chancery, the state's attorney, and the coroner's inquest juries.
10. Jury venires, summonses, certificates, etc.
11. Original documents used in court hearings and determinations. These documents are of particular importance because in a large number of cases the complete proceedings are not spread on court record.
12. Monthly reports of the warden of the county jail, containing a list of all prisoners in his custody, showing causes of commitment and names of persons by whom committed.³

1. R.L. 1827, p. 217; L. 1865, p. 79,80; R.S. 1874, p. 262-65; L. 1895, p. 217; L. 1901, p. 139.

2. 2 U.S. Stat. 153-55; U.S.R.S. 1789-1874, p. 378-80; 34 U.S. Stat. 596-607,709,710; 45 U.S. Stat. 1514,1515.

3. R.S. 1845, p. 323-26,414,418,419,518; L. 1873, p. 64,65; R.S. 1874, p. 262,263,283,339,616,630; L. 1933, p. 678,707,708.

Proceedings of Court

196. INDEX TO COURT RECORDS, 1858-88. 4 v. (1, 2, plaintiff; 1, 2, defendant). Missing: 1873-79.

Index to Chancery Record, 1858-72, 1880-88, entry 211, and Circuit Court Record Common Law, 1860-88, entry 203, showing case number, names of plaintiff and defendant, kind of action, record, judgment and fee book number, and page of entry. Arr. alph. by name of plaintiff or defendant. Hdw. under pr. hdgs. 300 p. 18 x 13 x 3. V. 1, defendant, 1858-72, cir. clk.'s strm., attic; v. 1, plaintiff, 1858-72, 2 plaintiff, 2 defendant, 1880-88, cir. clk.'s off., 1st fl.

197. (DUPLICATE FILES), 1932--. 2 f.b.

Duplicate copies of briefs of common law, criminal and chancery cases, showing case number, type of action, names of plaintiff, defendant, and attorney, and date of filing. Arr. alph. by name of plaintiff. No index. Typed. 12 x 15 x 28. Cir. clk.'s off., 1st fl.

198. (CURRENT FILES), 1925--. 25 f.b. (A-C, C-P, P, R, S, S, T, U, W, Z). Original papers in common law and chancery cases pending court actions, showing names of plaintiff, defendant, and attorneys, nature of case, general number, and date of filing. Arr. alph. by name of plaintiff. No index. Typed hdw. and typed on pr. fm. 11 x 5 x 14. Cir. ct. rm., 2nd fl.

199. (COMMON LAW FILES), 1839--. 526 f.b. (159-801 not consecutive). Original documents in common law cases, including; mechanics' liens, 1857--; attachment writs, 1880--; summonses, 1873--; subpoenas, 1881--; transcripts of judgment from justice courts, 1876--; execution on judgments, 1904--; execution on judgments confessed, 1844--; claims for witness fees, 1907--; citations, affidavits of witnesses, petitions, instructions to jury, jury verdicts, praecipies for execution, receipts for fees, and other court documents, and showing case number, names of parties' attorneys, jurors and witnesses, nature of case, and orders of the court. Arr. alph. by name of plaintiff. For sep. index, see entry 201. 1839-1907, hdw. and hdw. on pr. fm.; 1908--, hdw. and typed on pr. fm. 5 x 4 x 8 $\frac{1}{2}$ - 11 x 5 x 14. 478 f.b., 1839-1916, cir. clk.'s strm., attic; 1917--, cir. clk.'s off., 1st fl.

200. (DOYLE ESTATE FILES-EXHIBIT), 1923-31. 11 f.b.

Answers to cross bills in settlement of Doyle estate, showing names of parties filing bills, and date of filing. No obvious arr. For index, see entry 201. Typed, typed and hdw. on pr. fm. 10 x 5 x 13. 10 f.b., 1923-31, cir. clk.'s off., 1st fl.; 1 f.b., 1923-31, cir. clk.'s vlt., 1st fl.

201. COMMON LAW PLAINTIFF INDEX; COMMON LAW DEFENDANT INDEX, 1839--.

2 v. (1 plaintiff, 1 defendant).

Index to (Common Law Files), entry 199, and (Doyle Estate Files-Exhibit), entry 200, showing name of plaintiff or defendant, type of action, file box number, and date of filing. Arr. alph. by name of plaintiff or defendant. Typed under pr. hdgs. 352 p. 16 x 12 x 3. Cir. clk.'s off., 1st fl.

202. (BANKS IN RECEIVERSHIP), 1930--. 8 f.b.

Original papers in receivership cases, including petitions for receivership, orders to pay dividends, receipts of fees of receiver and attorney, petitions to allow expense bill, receivers' financial reports and orders of approval, special masters' reports and conclusions, and petitions to compromise stockholders' liabilities. Arr. by general no. No index. Typed. 10 x 5 x 13. 5 f.b., 1930-36, cir. clk.'s off., 1st fl.; 3 f.b., 1937--., cir. clk.'s vlt., 1st fl.

203. CIRCUIT COURT RECORD COMMON LAW, 1839--. 15 v. (1-6, 8-16),

Record of common law cases, including liens, 1857-1921, showing names of plaintiff, defendant, and attorneys, case number, cause of action, proceedings, term date, and court orders. Also contains Confession Record, 1844-76, entry 204; Confession Record - In Vacation, 1867-76, entry 205; Index of Liens Upon Chattels (Record), 1857-1921, entry 206; Court Record Defaults, 1840-95, 1916--., entry 207; Circuit Court Record Decree to Foreclose, 1839-57, entry 208; Chancery Record, 1839-55, entry 211; Court Record Criminal, 1839-57, entry 215; Recognizance Record, 1840-57, entry 216; and Indictment Record, 1840-57, entry 217. Arr. by date of court term. 1839-53, 1860--., indexed alph. by name of plaintiff; 1854-59, no index. 1839-1904, hdw.; 1905--., typed. 640 p. 18 x 13 x 3. V. 1, 1839-53, cir. clk.'s off., 1st fl.; v. 2-6, 8-16, 1854--., cir. clk.'s vlt., 1st fl.

204. CONFESSION RECORD, 1877--. 1 v. (7). 1844-76 in Circuit Court Record Common Law, entry 203.

Record of judgments by confession, showing date, names of plaintiff, defendant, and attorneys, case number, amount of debt, date of judgment entry, and court orders. Also contains Confession Record - In Vacation, 1877-98, entry 205. Arr. by date of judgment. Indexed alph. by name of plaintiff. Hdw. on pr. fm. 650 p. 18 x 12 x 3. Cir. clk.'s vlt., 1st fl.

205. CONFESSION RECORD - IN VACATION, 1899--. 3 v. (12-14). 1867-76 in Circuit Court Record Common Law, entry 203; 1877-98 in Confession Record, entry 204.

Record of judgments by confession in vacation, showing date, names of plaintiff, defendant, and attorneys, case number, amount of debt, dates of judgment entry, and court orders. Arr. by date of judgment. Indexed alph. by name of plaintiff. Hdw. on pr. fm. 650 p. 18 x 12 x 3. Cir. clk.'s vlt., 1st fl.

206. INDEX OF LIENS UPON CHATTELS (Record), 1922--. 1 v. 1857-1921 in Circuit Court Record Common Law, entry 203.

Record and index of liens upon chattels, showing names of claimant and defendant, amount and nature of claim, description of chattel, acknowledgment of satisfaction and date of filing; also contains liens on gets, 1925--. Arr. by date of filing. Indexed alph. by name of defendant. Hdw. under pr. hdgs. 50 p. 16 x 11 x 1/2. Cir. clk.'s off., 1st fl.

207. COURT RECORD DEFAULTS, 1896-1915. 1 v. 1840-95, 1916-- in Circuit Court Record Common Law, entry 203.

Record of judgment by default, showing names of plaintiff, defendant, attorneys, sheriff, and judge, date set for appearance in court, amount awarded plaintiff, court orders, and court term. Arr. by date of court term. Indexed alph. by name of plaintiff. Hdw. on pr. fm. 480 p. 18 x 13 x 3. Cir. clk.'s vlt., 1st fl.

208. CIRCUIT COURT RECORD DECREE TO FORECLOSE, 1876-1903. 1 v. (5). 1839-57 in Circuit Court Record Common Law, entry 203; 1858-75, 1904-- in Chancery Record, entry 211.

Record of court decree on bill to foreclose mortgage, showing names of plaintiff, defendant and judge, provisions of mortgage, amount, action taken and court term. Arr. by date of court term. Indexed alph. by name of plaintiff. Hdw. on pr. fm. 281 p. 18 x 13 x 3. Cir. clk.'s vlt., 1st fl.

209. (CHANCERY FILES), 1839--. 355 f.b. (1-355).

Original documents in chancery cases, including: sheriff's and master's certificates of levy, sale, purchase and redemption; claims for witness fees; certificates of publication; masters' reports on deeds and foreclosures; divorce subpoenas and summonses, showing case number, names of plaintiff, defendant, and attorneys, nature of case, and court orders. Arr. alph. by name of plaintiff. For index, see entry 210. 1839-1907, hdw., and hdw. on pr. fm.; 1908-- , hdw., and hdw. on pr. fm., typed and typed on pr. fm. 11 x 5 x 14. F.b. 1-16, 1839-1905, 165-355, 1911-- , cir. clk.'s off., 1st fl.; f.b. 17-164, 1906-10, cir. clk.'s vlt., 1st fl.

210. COMPLAINANT INDEX: DEFENDANT INDEX (Chancery), 1839--.

2 v. (1 complainant, 1 defendant).

Index to (Chancery Files), entry 209, showing names of complainant and defendant, kind of action, general case number, and file box number. Arr. alph. by name of complainant or defendant. Typed under pr. hdgs. 290 p., 16 x 12 x 2 $\frac{1}{2}$. Cir. clk.'s off., 1st fl.

211. CHANCERY RECORD, 1856--. 47 v. (1-4, 6-48). 1839-55 in Circuit Court Record Common Law, entry 203.

Record of proceedings in chancery cases including: divorces; notices of sales and purchases; foreclosures; master's reports of disbursements; and appointment of deputy clerks, 1899-- , showing names of parties and attorneys, nature of case, court term date, and final court orders. Also contains Circuit Court Record Decree to Foreclose, 1858-75, 1904-- , entry 203. Arr. by date of court term. Indexed alph. by name of plaintiff. 1856-1905, hdw.; 1906-- , typed. 640 p. 18 x 13 x 3. Cir. clk.'s vlt., 1st fl.

212. (CRIMINAL FILES, PENDING), 1922--. 1 f.b.

Original papers in current criminal cases and cases not indexed, showing names of defendant, attorneys, and witnesses, nature of crime, case number, and date of filing. Arr. by case no. No index. Hdw. on pr. fm., typed and typed on pr. fm. 11 x 5 x 14. Cir. clk.'s vlt., 1st fl.

213. (CRIMINAL FILES), 1839--. 64 f.b. (5 not labeled, 754-788, 794-797, 799, 801, 802, 321-323, 326-339).
Original papers in criminal cases, including: reports of state's attorney to circuit court, 1929--; indictment claims for witness fees, summonses, subpoenas; and grand jurors' report of conditions of jail, and showing case number, names of defendant, attorneys, jurors, and witnesses, nature of case, court orders, and dates; also contains jail reports, 1929--. No obvious arr. For index, see entry 214. 1839-1905, hdw., hdw. on pr. fm.; 1906--, hdw., typed, hdw. and typed on pr. fm. 5 x 4 x 8 $\frac{1}{2}$ - 11 x 5 x 14. 5 f.b. not labeled, f.b. 754-788, 794-797, 799, 801, 802, 1839-1917, cir. clk.'s strm., attic; f.b. 321-323, 326-339, 1918--, cir. clk.'s off., 1st fl.

214. DEFENDANTS' INDEX (Criminal), 1839--. 1 v.
Index to (Criminal Files), entry 213, showing names of defendants, kind of action, and file box number. Arr. alph. by name of defendant. Hdw. under pr. hdgs. 300 p. 16 x 12 x 2. Cir. clk.'s off., 1st fl.

215. COURT RECORD CRIMINAL, 1858--. 8 v. (A-H). 1839-57 in Circuit Court Record Common Law, entry 203.
Record of criminal case proceedings, showing term date, case number, names of plaintiff, defendant, and attorneys, type of action, and court orders. Also contains Recognizance Record, 1858-70, entry 216; Indictment Record, 1858-83, 1917--, entry 217; and State's Attorney's Report Record, 1907--; entry 245. Arr. by date of court term. Indexed alph. by name of defendant. 1858-1905, hdw.; 1906--, typed. 640 p. 18 x 13 x 3. Cir. clk.'s vlt., 1st fl.

216. RECOGNIZANCE RECORD, 1871-1930. 2 v. (A, B). 1840-57 in Circuit Court Record Common Law, entry 203; 1858-70 in Court Record Criminal, entry 215.
Record of recognizances, showing court term date, names of defendant, attorneys, judge, clerk, sheriff, and sureties, amount of bond, and date set for trial. Arr. by date of court term. Indexed alph. by name of defendant. Hdw. on pr. fm. 200 - 564 p. 18 x 13 x 1 - 18 x 13 x 2 $\frac{1}{2}$. Cir. clk.'s vlt., 1st fl.

217. INDICTMENT RECORD, 1884-1916. 1 v. (A). 1840-57 in Circuit Court Record Common Law, entry 203; 1858-83, 1917-- in Court Record Criminal, entry 215.
Record of indictments returned by grand jury, showing names of defendant and witnesses, nature and description of charge, recommendations of jury, signatures of foreman and state's attorney, and date of filing. Arr. by date of filing. Indexed alph. by name of defendant. 1884-1901, hdw. on pr. fm.; 1902-16, hdw. and typed on pr. fm. 576 p. 18 x 13 x 2 $\frac{1}{2}$. Cir. clk.'s strm., attic.

218. JUDGMENT NOT INDEXED, 1928-36. 1 f.b.

Papers covering confession of judgment, showing names of plaintiff, defendant and attorneys, description of case, amount of judgment, court costs, sheriff's fees, and dates of confession and filing. Arr. by date of filing. No index. Typed, typed and hdw. on pr. fm. 11 x 5 x 14. Cir. clk.'s off., 1st fl.

219. CERTIFICATE OF PURCHASE (Files), 1840-86. 3 f.b.

Sheriff's and master's certificates of levy, sale, redemption, and purchase, showing names of plaintiff, defendant, master or sheriff, attorneys, and purchaser, legal description of property, amounts of sales, levy, redemption and purchase, court orders, book and page numbers, signatures of clerk, sheriff or master, and date of filing. No obvious arr. No index. Hdw., hdw. on pr. fm. 5 x 4 x 8 1/2. Cir. clk.'s strm., attic.

Miscellaneous Files

220. (CIRCUIT CLERK'S MISCELLANEOUS FILES), 1839-1908. 24 f.b.

Miscellaneous papers filed in circuit clerk's office including:

- i. Affidavits of witness fees in common law, chancery, and criminal cases, 1840-1906, showing names of plaintiff and defendant, date of court term, days of service, mileage, names and residences of witnesses, and date of affidavit.
- ii. Appointments of deputy circuit clerks, 1860-98, showing names of circuit clerk and deputy, oath, signature of deputy, and date of oath.
- iii. Attachments for contempt of court, 1885, showing case number, names of defendant and witnesses, amount of fee, signature of clerk, and certification of sheriff.
- iv. Bonds, appeal, 1844-76, showing name of court of appeal, type of case, names of plaintiff, defendant, and sureties, amount, date, name of person approving bond, and date of filing.
- v. Certificates of good moral character, 1874, showing date, name of applicant, affidavits as to character, and court order granting certificate.
- vi. Certificates of levy, sale, redemption, and purchase, showing names of plaintiff, defendant, master or sheriff, attorneys, and purchaser, legal description of property, amount of sale, levy, redemption, and purchase, court orders, book and page of entry, signatures of clerk and sheriff or master, and date of filing.
- vii. Certificates of publication, 1852-99, showing names of paper and publisher, printer's fees, copy of advertisement or notice, and dates.
- viii. Executions of judgments, 1839-1903, showing names of plaintiff and defendant, execution number, amounts of damages, costs, and fees, book number, page of entry, and date of execution.

- ix. Mechanics' liens, 1870, 1888-92, showing description of property, itemized list of material and labor furnished, date of completion, total amount of bill, and date of filing.
 - x. Naturalization papers, 1856-94, including declaration of intention, oath and final certificate, and showing name, address, marital status, occupation, age and nativity of alien, names of judge, witnesses, and children, dates of petition, oath and filing, and name and affidavit of circuit clerk.
 - xi. Railroad right-of-way leases, 1852, showing name of landlord, legal description of property, date, signature of railroad agent, affidavit of clerk, and dates of affidavit and filing.
 - xii. Register of voters, 1869, township of Waynesville, showing names of voters and date.
 - xiii. Reports of circuit clerk to county board, 1883-84, showing description and amount of receipt or disbursement, certification of circuit clerk, and date.
 - xiv. Reports of issuing of deeds, master's, 1841-75, showing names of plaintiff, defendant, and judge, legal description of property, dates of court term, approval, and filing, and signature of master in chancery.
 - xv. Reports of deeds on foreclosures, master's, 1870-88, showing date of court term, names of plaintiff and defendant, legal description of property, date of mortgage foreclosure, signature of master in chancery, date of filing, and book number and page of entry.
 - xvi. Reports of prisoners in jail, 1871, 1874-76, 1880-1905, showing name of prisoner, date and cause of commitment, date of court term, names of court and judge, date of report, and signature of turnkey.
 - xvii. State's attorney's reports to circuit court, 1873, 1878-79, 1901-6, showing date, case number, names of defendant, judge, and court, title of case, amounts of fees, fines, and forfeitures collected, affidavit of state's attorney's verification of report, treasurer's receipt, dates of oath and filing, and signature of circuit clerk.
 - xviii. Subpoenas, 1842-80, showing names of witnesses, plaintiff, and defendant, title of case, dates, and signature of sheriff.
 - xix. Summonses, 1841-72, showing names of plaintiff, defendant, party to be served, and court, date of appearance, title of case, date of summons, and sheriff's certificate of service.
 - xx. Transcripts of judgments from justice courts, 1841-75, showing case number, date, names of plaintiff and defendant, cause of action, proceedings, amounts of fees and costs, and date of filing.
 - xxi. Writs of attachment, 1853-79, showing names of plaintiff and defendant, description of property, amount of damages, date of court term, signature of circuit clerk, and date of filing.
- Also contains Jury Time Sheets, 1879-1905, entry 247. No obvious arr.
No index. Hdw., hdw. under pr. hds., and hdw. on pr. fm. 5 x 4 x 8 $\frac{1}{2}$.
Cir. clk.'s strm., attic.

Transcripts
(See also entry 220[xx])

221. RECORD OF TRANSCRIPTS, 1853--. 4 v. (A, B, 1853-1912; C, D, 1879--)
Transcripts of proceedings from justice of the peace, police magistrate, and foreign courts, showing case number, date, names of plaintiff, defendant, and witnesses, nature of case, description and amount of judgment and fees, date of certification by lower court, and date of filing. Arr. by date of filing. Indexed alph. by name of plaintiff. 1853-79, hdw.; 1880--, hdw., typed, and hdw. on pr. fm. 600 p. 18 x 13 x 3. V. A, B, 1853-1912, cir. clk.'s strm., attic; v. C, D, 1879--, cir. clk.'s vlt., 1st fl.

222. (TRANSCRIPTS OF CIRCUIT COURT HEARINGS), 1873-1935. 122 bdl.
Missing: 1876-81, 1883, 1885-86, 1888-89, 1891, 1893-94, 1896, 1899, 1925.
Transcripts of evidence, showing names of parties, attorneys, and witnesses, court term date, testimony, and dispositions of court. No obvious arr. No index. Typed. 11 x 8 x 1½. Cir. clk.'s strm., attic.

Dockets

223. CLERK'S DOCKET, 1861--. 9 v. (1, 2, 2, 4, 5, 1, 2-4). Title varies: General Docket, v. 1, 1885-98.
Clerk's docket of proceedings in chancery, common law, and criminal cases, showing date and number of case, names of plaintiff, defendant and attorneys, kind of action, court term and court orders. Arr. by date of case. 1861-67, indexed alph. by name of plaintiff; 1868--, no index. Hdw. under pr. hdgs. 280 p. 18 x 13 x 3. V. 1, 2, 2, 4, 5, 1, 2, 1861-1912, cir. clk.'s strm., attic; v. 3, 4, 1913--, cir. clk.'s off., 1st fl.

224. CLERK'S DOCKET (Duplicate), 1862-1909. 18 v. (13 v. not labeled, 1862-67, 1905-9; 5 v. labeled 1, 1900-1904). Missing: 1864-65, 1868-99, 1901-2.
Clerk's duplicate docket of proceedings of common law, criminal, and chancery cases, showing case number, names of plaintiff, defendant, and attorneys, kind of action, court term, and court orders. Arr. by case no. No index. Hdw. under pr. hdgs. 40 - 74 p. 14 x 9 x ½ - 19 x 12 x 1. Cir. clk.'s strm., attic.

225. TRANSFER DOCKET, 1898--. 12 v. (1-6, 6 not labeled).
Docket of common law, criminal, and chancery cases, showing case number, names of plaintiff, defendant, and attorneys, kind of action, court term date, and court orders. Also contains Judges' Docket, 1910--, entry 227, and Trustees' and Receivers' Docket, 1898-1910, entry 229. Arr. by date of court term. Indexed alph. by name of plaintiff or defendant. Hdw. and typed under pr. hdgs. 500 p. 15 x 12 x 5. Cir. clk.'s off., 1st fl.

226. JUDGES' DOCKET (Pending), 1909--. 1 v.

Docket of pending common law cases, 1928--, criminal cases, 1925--, and chancery cases, showing case number, term date, names of plaintiff, defendant, and attorneys, nature of case, and court orders. Arr. by date of court term. No index. Hdw. under pr. hdgs. 300 p. 15 x 12 x 3. Cir. clk.'s vlt., 1st fl.

227. JUDGES' DOCKET, 1856-1909. 40 v. (F-I, K-X, 1, 2, 5, 14-17, 15 not labeled), 1910-- in Transfer Docket, entry 225.

Docket of common law, criminal, and chancery cases, showing case number, names of plaintiff, defendant, and attorneys, kind of action, order of previous court term, court term date, and orders of court. Also contains Docket of Liens, 1857-87, entry 228. Arr. by date of court term. No index. Hdw. under pr. hdgs. 75 - 250 p. 18 x 13 x 1 - 18 x 13 x 3. V. F-I, K-X, 1, 2, 14 not labeled, 14-17, 5, 1856-1909, cir. clk.'s strm., attic; 1 v. not labeled, 1893, cir. clk.'s vlt., 1st fl.

228. DOCKET OF LIENS, 1888--. 2 v. (1 not labeled, 2). Last entry 1935. 1857-87 in Judges' Docket, entry 227.

Docket of mechanics' liens, showing date, number, nature and amount of lien, names of licensee and claimant, legal description of property, acknowledgment of satisfaction, and date of filing. Arr. by date of filing. Indexed alph. by name of licensee. Hdw. under pr. hdgs. 450 p. 16 x 11 x 1. 1 v. not labeled, 1888-1924, cir. clk.'s off., 1st fl.; v. 2, 1925--, cir. clk.'s vlt., 1st fl.

229. TRUSTEES' AND RECEIVERS' DOCKET, 1911--. 1 v. 1898-1910 in Transfer Docket, entry 225.

Docket of trustees' cases, 1911--, receivers' cases 1914--, showing names of cases, parties and attorneys, case number, court term date, type of action, dates of commencement, summonses issued and returned, and remarks. Arr. by date of court term. Indexed by case name or case no. Hdw. under pr. hdgs. 100 p. 14 x 12 x 2. Cir. clk.'s vlt., 1st fl.

230. JUDGMENT AND EXECUTION DOCKET, 1884--. 5 v. (D-H).

Docket of judgments and executions, showing date, case number, names of plaintiff and defendant, nature of action, amounts of debt, damages and costs, acknowledgment of satisfaction, fee book number and page of entry. Judgment Docket, entry 231 and Execution Docket, entry 233 formerly kept separately. Arr. alph. by name of defendant. Indexed alph. by name of plaintiff. Hdw. under pr. hdgs. 295 p. 18 x 13 x 3. V. D, 1884-97, cir. clk.'s strm., attic; v. E-G, 1898-1930, cir. clk.'s vlt., 1st fl.; v. H, 1931--, cir. clk.'s off., 1st fl.

231. JUDGMENT DOCKET, 1853-83. 3 v. (1 v. not labeled, B, C). 1884-- in Judgment and Execution Docket, entry 230.

Docket of judgments entered, showing date, case number, names of plaintiff, defendant, and attorneys, nature of action, amounts of judgment, damages and costs, fee book number, page of entry, and remarks. Arr. alph. by name of defendant. 1853-68, no index; 1869-83, indexed alph. by name of plaintiff. Hdw. under pr. hdgs. 300 p. 18 x 13 x 3. Cir. clk.'s strm., attic.

232. COST JUDGMENT DOCKET, 1872-88. 2 v. (1, 2).

Docket of judgments entered, showing names of plaintiff, defendant, attorneys, and persons against whom judgment was entered, case number, kind of action, date and amount of debt, damage, and cost, fee book number and page of entry. Arr. alph. by name of person against whom judgment is entered. Indexed alph. by name of plaintiff. Hdw. under pr. hdgs. 318 p. 18 x 13 x 2½. Cir. clk.'s strm., attic.

233. EXECUTION DOCKET, 1853-83. 3 v. (1 not labeled, B, C). 1884-- in Judgment and Execution Docket, entry 230.

Docket of executions, showing date, execution number, names of plaintiff, defendant, and attorneys, amounts of damages, and costs, date of sheriff's return, fee book number, and page of entry. Arr. alph. by name of defendant. Indexed alph. by name of plaintiff. 1853-79, hdw.; 1880-83, hdw. under pr. hdgs. 320 p. 18 x 13 x 3. 1 v. not labeled, 1853-69, v. C, 1881-83, cir. clk.'s strm., attic; v. B, 1870-80, cir. clk.'s vlt., 1st fl.

234. MASTER IN CHANCERY DOCKET, 1882-1923. 2 v. (A, 1 not labeled). Missing: 1894-1914. Title varies: Master's Docket, v. A, 1882-93.

Docket of master in chancery, showing names of plaintiff, defendant, and payee, description of property, notices of sale and publication, amounts of debts, credits and judgment and date of judgment. Arr. by date of judgment. Indexed alph. by name of plaintiff. Hdw. on pr. fm. 225 p. 18 x 13 x 2. V. A, 1882-93, cir. clk.'s strm., attic; 1 v. not labeled, 1915-23, cir. clk.'s vlt., 1st fl.

235. FEE BILL DOCKET, 1878-89. 1 v.

Docket of fee bills, showing date, case number, title of case, names of plaintiff and defendant, costs, date of delivery, and remarks. Arr. by date of delivery. Indexed alph. by name of plaintiff. Hdw. under pr. hdgs. 216 p. 14 x 12 x 1½. Cir. clk.'s strm., attic.

236. BAR DOCKET, 1862-64. 2 v. Missing: 1863.

Docket of chancery, common law, and criminal cases, showing date of hearing, case number, names of plaintiff, defendant and attorneys, kind of action, and court term. Arr. by date of hearing. No index. Hdw. under pr. hdgs. 75 p. 14 x 8½ x ½. Cir. clk.'s strm., attic.

Fee Books

237. FEE BOOK COMMON LAW, 1908--. 4 v. (19, 23, 26, 30). 1844-1907 in Fee Book, entry 240.

Circuit clerk's register of common law fees, including: transcript fees, 1908-10; witness fees, 1914--, and showing names of plaintiff and defendant, case number, nature of case, description, and amount of fees, to whom charged and court term date. Also contains Fee Book Confession, 1908-10, entry 242, and Fee Book (Judgment and Confession), 1908-10, entry 243. Arr. by date of receipt. Indexed alph. by name of plaintiff. Hdw. on pr. fm. 595 p. 18 x 13 x 3. V. 19, 23, 1903-20, cir. clk.'s strm., attic; v. 26, 30, 1921--, cir. clk.'s vlt., 1st fl.

238. CHANCERY FEE BOOK, 1908--. 6 v. (21, 24, 25, 29, 31, 32).

1844-1907 in Fee Book, entry 240.

Circuit clerk's register of fees in chancery cases, including: transcript fees, 1908-10; witness fees, 1914--, and showing case number, names of plaintiff and defendant, nature of case, description and amount of fees, to whom charged, and court term. Arr. by date of court term. Indexed alph. by name of plaintiff. Hdw. on pr. fm. 595 p. 18 x 13 x 3. V. 21, 1908-13, cir. clk.'s strm., attic; v. 24, 25, 29, 31, 32, 1914--, cir.: clk.'s vlt., 1st fl.

239. FEE BOOK CRIMINAL, 1908--. 2 v. (20, 29). 1844-1907 in Fee Book, entry 240.

Circuit clerk's record of court fees, including: transcript fees, 1908-10; witness fees in criminal cases, 1914--, and showing name of defendant, nature of crime, amount of fees, case number, and court term. Arr. by date of receipt. Indexed alph. by name of defendant. Hdw. on pr. fm. 595 p. 18 x 13 x 3. V. 20, 1908-26, cir. clk.'s strm., attic; v. 29, 1927--, cir. clk.'s vlt., 1st fl.

240. FEE BOOK, 1844-1907. 16 v. (2 not labeled, 1844-62; 4-7, 9, 10, 1863-88; 1 not labeled, 1886-99; 11-13, 15-18, 1878-1907).

Circuit clerk's register of fees in common law, chancery, and criminal cases, showing case number, names of plaintiff and defendant, nature of case, description, amount of fees, and dates. Fee Book Common Law, entry 237, Chancery Fee Book, entry 238, Fee Book Criminal, entry 239, and Fee Book Confession, entry 242, subsequently kept separately. Also contains Confession and Transcript Fee Book, 1844-1907, entry 241; Fee Book Confession, 1844-1907, entry 242; Fee Book (Judgment and Confession), 1844-57, 1864-1907, entry 243; and Witness Fees, 1844-1903, entry 244. Arr. by date of receipt. Indexed alph. by name of plaintiff. 1844-65, hdw.; 1866-72, hdw. and hdw. on pr. fm.; 1873-99, hdw.; 1900-1907, hdw. on pr. fm. 330 - 590 p. 12 x 10 x 2 - 18 x 13 x 3. Cir. clk.'s strm., attic.

241. CONFESSION AND TRANSCRIPT FEE BOOK, 1911--. 1 v. (22).

1844-1907 in Fee Book, entry 240.

Register of transcript fees, showing names of plaintiff and defendant, amounts, dates of judgment, and costs, court term, volume and page numbers. Also contains Fee Book Confession, 1911-26, entry 242, and Fee Book (Judgment and Confession), 1911-27, entry 243. Arr. by date of receipt. Indexed alph. by name of plaintiff. Hdw. on pr. fm. 480 p. 18 x 13 x 3. Cir. clk.'s vlt., 1st fl.

242. FEE BOOK CONFESSION, 1927--. 1 v. 1911-26 in Confession and Transcript Fee Book, entry 241; 1908-10 in Fee Book Common Law, entry 237; 1844-1907 in Fee Book, entry 240.

Record of fees in confession of judgment, including confession and judgment dockets, and showing names of plaintiff and defendant, amount and date of judgment and costs, page number and court term. Arr. by date of receipt. Indexed alph. by name of plaintiff. Hdw. on pr. fm. 480 p. 18 x 13 x 3. Cir. clk.'s vlt., 1st fl.

243. FEE BOOK (Judgment and Confession), 1858-63. 1 v. (B). 1844-57, 1864-1907, in Fee Book, entry 240; 1908-10 in Fee Book Common Law, entry 237; 1911-26 in Confession and Transcript Fee Book, entry 241; 1927-- in Fee Book Confession, entry 242.

Record of fees in judgment and confession cases, showing case number, names of plaintiff and defendant, type of case, description, amount of fees, and court term. Arr. by date of receipt. Indexed alph. by name of plaintiff. Hdw. on pr. fm. 595 p. 18 x 13 x 3. Cir. clk.'s strm., attic.

244. WITNESS FEES, 1904-13. 1 v. 1844-1903 in Fee Book, entry 240. Register of witness fees in circuit court cases, showing names of plaintiff, defendant, and witnesses, amount of fees, and date of court term. Arr. by date of receipt. Indexed alph. by name of plaintiff. Hdw. on pr. fm. 480 p. 15 x 10 x 2. Cir. clk.'s strm., attic.

Reports to the Court
(See also entry 220[xiv-xvii])

245. STATE'S ATTORNEY'S REPORT RECORD, 1877-1906. 1 v. 1907-- in Court Record Criminal, entry 215.

Annual report record of state's attorney, showing case number, names of plaintiff, defendant, and state's attorney, court of conviction, amounts of fees, fines, and forfeitures collected, affidavit showing amount paid to treasurer, treasurer's receipt and date of report. Arr. by date of report. No index. Hdw. under pr. hdgs. 410 p. 18 x 13 x 2. Cir. clk.'s vlt., 1st fl.

246. (REPORT OF CIRCUIT CLERK), 1912--. 1 bdl., 2 f.b.
Missing: 1885-1911.

Circuit clerk's semiannual reports to county board, showing description and amount of receipts and disbursements, certification of circuit clerk, and date. 1912-20, no obvious arr.; 1921--, arr. by date of report. No index. Typed. Bdl. 16 x 10 x 2; f.b. 6 x 12 x 16. 1 bdl., 1912-20, cir. clk.'s strm., attic; 2 f.b., 1921--, cir. clk.'s off., 1st fl.

Jury Records

247. JURY TIME SHEETS, 1906--. 2 f.b. Missing: 1916-31. Title varies: Jury Venire, Time Sheets and Jail Reports, 1 f.b., 1906-15. 1861-74 in Oath of Officers, entry 250; 1879-1905 in (Circuit Clerk's Miscellaneous Files), entry 220.

Grand and petit jury veniers and time sheets, including grand jurors' report of conditions of jail and list of persons selected for jury duty, and showing dates, name and residence of juror, mileage, term of service, and date of filing. 1906-15, no obvious arr.; 1932--, arr. by date of filing. No index. 1906-15, hdw., hdw. on pr. fm., and typed on pr. fm.; 1932--, typed under pr. hdgs. 5 x 8 x 8 $\frac{1}{2}$ - 11 x 5 x 14. 1 f.b., 1906-15, cir. clk. strm., attic; 1 f.b., 1932--, cir. clk.'s off., 1st fl.

248. REGISTER OF JURORS, 1873. 1 v.

Register of petit and grand jurors, showing names of jurors, term of service, and date of court term. Arr. by date of court term. No index. Hdw. under pr. hdgs. 400 p. 16 x 15 x 2. Cir. clk.'s strm., attic.

Bonds and Oaths
(See also entry 220[iv])

249. RECEIVER AND TRUSTEE, ETC., BONDS, 1925--. 2 f.b.

Miscellaneous court and official bonds, including: appeal bonds, 1928-33; attachment bonds, 1933; injunction bonds, 1925-33; bonds and orders in probation, 1924-29; special master's oaths and bonds, 1927-34; masters' bonds and oaths, 1929-33; bonds of probation officers, 1935--; trustees' bonds, 1925-31; and receivers' bonds, 1925--, and showing names of principal and sureties, date and amount of bond, place of recording and date of filing. No obvious arr. No index. Hdw. and typed on pr. fm. 11 x 5 x 14. Cir. clk.'s vlt., 1st fl.

250. OATH OF OFFICERS, 1839-75. 1 f.b. Missing: 1842-43, 1845, 1847, 1851, 1854-57.

Original oaths of county officers, including: coroner's bonds, 1840-48, 1860-72; sheriff's bonds, 1839-50, 1858-64, 1867-72; deputy sheriff's bonds, 1846, 1859; appointments of deputy sheriffs, 1839-75; and list of persons selected for jury duty, 1861-74, and showing names of officer, office, and jurors, signature of officer, clerk's affidavit, and dates. Also contains Jury Time Sheets, 1861-74, entry 247. No obvious arr. No index. Hdw. and hdw. on pr. fm. 5 x 4 x 8 $\frac{1}{2}$. Cir. clk.'s strm., attic.

Parole

251. PAROLE RECORD, 1898. 1 v. (1).

Record of certificates of discharge under parole law, showing name of prisoner, nature of crime, dates of conviction, confinement, parole and court term. Arr. by date of court term. Indexed alph. by name of prisoner. Hdw. on pr. fm. 317 p. 18 x 13 x 2. Cir. clk.'s strm., attic.

Naturalization
(See also entries 119, 148, 149, 156, 220 [x])

252. (NATURALIZATION), 1851-79. 1 f.b. Missing: 1870.

Naturalization papers including declaration of intention, oath and final certificate, and showing name, address, marital status, occupation, age, and nativity of alien, dates of oath, petition, and filing, and name and affidavit of circuit clerk. No obvious arr. No index. Hdw.; hdw. on pr. fm. 5 x 4 x 8 $\frac{1}{2}$. Cir. clk.'s strm., attic.

253. DEPARTMENT OF COMMERCE AND LABOR, DIVISION OF NATURALIZATION, PETITION AND RECORD, 1907-30. 1 v.

Naturalization record including copies of intentions and petitions for final naturalization, affidavit of witness, oath of allegiance, and order of court admitting petitioner, and showing name of alien, native country, name of port, date of arrival, name of wife, place of residence, number of children, name, date and place of birth, residence of each, and signatures of petitioner and clerk. Arr. by date of petition. Indexed alph. by name of alien. Hdw. on pr. fm. 50 p. 18 x 13 x 1. Cir. clk.'s off., 1st fl.

Office Transactions

Receipts and Expenditures

254. CASH RECEIPTS, 1913---. 14 v. Title varies: Cash Book, 6 v., 1913-19, 1924-30; Journal, 1 v., 1920-23.

Circuit clerk's register of cash receipts, showing date, amount and purpose of receipts, and name of payer. Arr. by date of receipt. No index. 1913-30, hdw.; 1931---, hdw. under pr. hdgs. 225 p., 13 x 9 x 1 - 14 x 16 x 1. 8 v. 1913-32, cir. clk.'s strm., attic; 6 v., 1933---, cir. clk.'s off., 1st fl.

255. CASH DISBURSEMENTS, 1931---. 1 v.

Circuit clerk's register of cash disbursements, showing purpose of expenditure, name of payee, amounts, and dates of payments. Arr. by date of payment. No index. Hdw. under pr. hdgs. 245 p. 20 x 14 x 2. Cir. clk.'s off., 1st fl.

256. RECEIPTS AND EXPENDITURES, 1873-1932. 8 v. (2 not labeled, B, E-I). Missing: 1888-94.

Circuit clerk's register of receipts and expenditures and register of fees for recording instruments, showing case and instrument numbers, name of payer or payee, purpose and amount of payment, and dates. Arr. by date of receipt or payment. No index. 1873-1912, hdw. under pr. hdgs.; 1913-32, typed under pr. hdgs. 350 p. 15 x 11 x 2 $\frac{1}{2}$. 2 v. not labeled, v. B, E-H, 1873-1924, cir. clk.'s strm., attic; v. I, 1925-32, cir. clk.'s vlt., 1st fl.

Court Business

257. ATTORNEYS' RECEIPTS, 1911---. 2 v.

Record of attorneys' receipts for court papers, showing number and title of case, name of attorney, and dates of delivery, receipt and return. Arr. by date of return. No index. Hdw. under pr. hdgs. 320 p. 16 x 12 $\frac{1}{2}$ x 2. 1 v., 1911-20, cir. clk.'s strm., attic; 1 v., 1921---, cir. clk.'s off., 1st fl.

258. ALIMONY RECEIPTS, 1922---. 2 f.b. (422, 1 not labeled).

Receipts given circuit clerk upon payment of alimony held by him, showing case number, date and amount of payment, name of payer, and signature of payee. No obvious arr. No index. Hdw. on pr. fm. 10 x 5 x 13. Cir. clk.'s off., 1st fl.

VII. SHERIFF

The sheriff, by constitutional provision, has been an elected officer in De Witt County from the organization of the county, in 1839, to the present.¹ The term of his office, originally set at two years,² is now four years.³ In 1880 it was provided, by constitutional amendment, that no person elected to the office of sheriff should be eligible for reelection to that office until four years after the expiration of his term of office.⁴ His bond in this county is required in the sum of \$10,000 and must be approved by the county judge.⁵ Memoranda of this bond are entered at large upon the records of the county court, and the bond is filed in the office of the county clerk.⁶ The compensation of the sheriff is fixed by the county board within the limits set by the constitution. In counties the size of De Witt with a population of 18,244, the compensation of the sheriff is not to exceed \$1,500 a year.⁷ One or more deputies are appointed by the sheriff in accordance with the number allowed by rule of the circuit court. Compensation of the deputies is determined by the county board.⁸ The sheriff is warden of the county jail and has custody and regulation of the same and of all prisoners.⁹ To assist him in this administration, he appoints a superintendent of the county jail for whose conduct he is responsible, and whom he may remove at pleasure.¹⁰

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1. Const. 1818, Art. III, sec. 11; Const. 1848, Art. VII, sec. 7; Const. 1870, Art. X, sec. 8; second amendment November 22, 1880, to the Const. 1870, Art. X, sec. 8; also L. 1819, p. 109, 110; R.S. 1874, p. 989.
 2. Const. 1818, Art. III, sec. 11; Const. 1848, Art. VII, sec. 7.
 3. Const. 1870, Art. X, sec. 8.
 4. *Ibid.*, as amended November 1880.
 5. R.S. 1874, p. 989. Cf. R.L. 1827, p. 371. Prior to the organization of the county court, the sheriff's bond and securities were approved by the circuit court.
 6. R.S. 1845, p. 514; R.S. 1874, p. 989.
 7. Const. 1870, Art. X, sec. 10.
 8. R.L. 1827, p. 373; R.S. 1845, p. 515; L. 1869, p. 399; Const. 1870, Art. X, sec. 9.
 9. L. 1819, p. 111, 112; R.L. 1827, p. 247-50; L. 1831, p. 103, 104, 106; R.L. 1833, p. 574, 575; L. 1845, p. 8, 10, 19; R.S. 1845, p. 133, 134, 515-17; R.S. 1874, p. 616, 989-91; L. 1901, p. 137, 138; L. 1923, p. 423-26. The citations also include references to duties not included in the general outline noted above.
 10. L. 1923, p. 423.

Essentially without change for over one hundred years, the principal duties of the sheriff are the following:

1. To act as conservator of the peace, with power to arrest offenders on view.¹
2. To attend, in person or by deputy, all courts of record (city, county, probate, circuit, and appellate courts) in his county, and to obey the orders and directions of the courts.²
3. To serve, execute, and return all writs, warrants, process, orders, and decrees legally directed to him.³
4. To sell real or personal property by virtue of execution or other process.⁴
5. To send fingerprints of criminals to the State Bureau of Criminal Identification and Investigation.⁵

In the course of the sheriff's many detailed duties included in these broad provisions, the following records may be kept but do not appear in De Witt County:

1. Receipts of deliveries of prisoners in changes of venue.⁶
2. Copies of reports to the county court and circuit court.⁷
3. Reports of pawmbrokers on loans and articles pawned.⁸
4. Data of identification of criminals and stolen property.⁹

The following records may be kept and do appear:

1. Register of prisoners.¹⁰
2. "Book of Accounts," including records of fees and disbursements.¹¹
3. Docket of executions.
4. Process docket.

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1. R.L. 1827, p. 372; R.S. 1845, p. 515; R.S. 1874, p. 990.
 2. Ibid.
 3. Ibid.
 4. R.L. 1827, p. 334; L. 1839, p. 14-18, 20; R.S. 1845, p. 302, 306, 307; L. 1871-72, p. 505-7; R.S. 1874, p. 622, 623, 627-29.
 5. L. 1931, p. 465.
 6. R.S. 1874, p. 1096.
 7. Ibid., p. 617; L. 1923, p. 424; L. 1933, p. 678.
 8. L. 1909, p. 301.
 9. L. 1931, p. 465.
 10. R.S. 1874, p. 617; L. 1923, p. 424.
 11. L. 1871-72, p. 450, 451; L. 1873-74, p. 104, 105.

Process

259. SHERIFF'S EXECUTION DOCKET, 1858--. 9 v. (A, 1 not labeled, B-H). Docket of executions, showing date and number of case, names of plaintiff, defendant, and attorneys, date and amount of judgment, type of action, dates of execution and return, amount of fee, court of issue, and signature of sheriff. 1858-69, arr. by case no.; 1870--, arr. by date of judgment. Indexed alph. by name of plaintiff. 1858-69, hdw. under pr. hdgs.; 1870--, hdw. on pr. fm. 278 p. 14 x 9 x 2 - 18 x 13 x 3. V. A, 1 not labeled, B-F, 1858-1924, co. clk.'s strm., attic; v. G, H, 1925--, sh.'s off., 2nd fl.

260. SHERIFF'S DOCKET, 1859--. 14 v. (A, A-G, 6 not labeled). Title varies: Process Docket, v. A, A-G, 1859-1914; Transfer Docket, 1 v. not labeled, 1934-38.

Sheriff's process docket showing date and number of case, names of plaintiff and defendant, type of action, dates of service and return, amount of fees, and names of court and bailiff. Arr. by date of service. Indexed alph. by name of plaintiff. Hdw. under pr. hdgs. 240 p. 16 x 12 x 2. V. A, A-G, 1859-1914, co. clk.'s strm., attic; 6 v. not labeled, 1915--, sh.'s off., 2nd fl.

261. CRIMINAL DOCKET, 1930--. 3 v.

Sheriff's criminal docket showing name of defendant, date of writ, dates of service and return, type of crime, sheriff's fees, date of trial, and disposition of case. Arr. by date of writ. Indexed alph. by name of defendant. Hdw. on pr. fm. 500 p. 9 x 12 x 4. Sh.'s off., 2nd fl.

262. SUBPOENA DOCKET, 1867-1915. 6 v. (B, B, C, E-G). Missing: 1885-92.

Docket of subpoenas, showing name of plaintiff, date and court of issue, names of party to be served and bailiff or deputy, amount of fees, and remarks. No obvious arr. 1867-73, no index; 1874-1915, indexed alph. by name of plaintiff. Hdw. under pr. hdgs. 235 p. 15 x 12 x 2. Co. clk.'s strm., attic.

Jail Records

263. FINGER PRINT CARDS, 1934--. 1 f.b.

Identification record of prisoner, showing number, name or alias, residence, and physical description of prisoner, date and place of birth, classification, references, fingerprints, dates of offenses and arrests, criminal history, and disposition of case. Arr. by finger print description. For index, see entry 264. Hdw. on pr. fm. 10 x 14 x 26. Sh.'s photographic rm., 1st fl., co. jail.

264. FINGER PRINT INDEX, 1934—. 1 f.b.
Index to Finger Print Cards, entry 263, showing name and number of prisoner, and classification of finger prints. Arr. alph. by name of prisoner. Hdw. on pr. fm. 14 x 5 x 26. Sh.'s photographic rm., 1st fl., co. jail.

265. RECEIVING CARDS, 1934—. 1 f.d.
Record of prisoners received by sheriff, showing name, address, place of birth, nationality and occupation of prisoner, name of arresting officer, and dates of arrest and discharge. Arr. alph. by name of prisoner. No index. Hdw. on pr. fm. 10 x 5 x 18. Sh.'s receiving rm., 1st fl., co. jail.

266. JAIL REGISTER, 1878—. 3 v. Missing: 1919-25.
Register of prisoners in county jail, showing name, age, sex, residence, place of birth, financial particulars, habits, and health of prisoner, date of commitment, number of convictions, names of court, and date of discharge. Arr. by prisoner's no. and by date of arrival. No index. Hdw. under pr. hdgs. 80 p. 16 x 14 x 1. 2 v., 1878-1918, 1926-38, sh.'s off., 2nd fl.; 1 v., 1939—, sh.'s receiving rm., 1st fl., co. jail.

Fees, Receipts and Expenditures

267. CASH RECEIPTS RECORD, 1914—. 6 v.
Sheriff's record of fees received, showing type of service, names of plaintiff and defendant, date and amounts of fees received, totals, and dockets and page number of entry. Arr. by date of entry. No index. Hdw. under pr. hdgs. 75 - 300 p. 14 x 8 x 1½ - 17 x 14 x 2. Sh.'s off., 2nd fl.

268. SHERIFF'S FEE BILL DOCKET, 1877-89. 2 v. (1 v., 1877-89; 1 v., 1879-84).
Docket of fees in circuit court cases, showing names of plaintiff, defendant, and court of appeal, dates of writ and receipt, description and amount of sheriff's fees, date of return, and sheriff's remarks. Arr. by date of receipt. Indexed alph. by name of plaintiff. Hdw. on pr. fm. 216 p. 16 x 12 x 1½. Co. clk.'s strm., attic.

269. RECEIPTS AND EXPENDITURES, 1875-82. 1 v.
Sheriff's record of receipts and expenditures, showing date, amount, and purpose of receipt or expenditure, and name of recipient or payer. Arr. by date of receipt or expenditure. No index. Hdw. under pr. hdgs. 200 p. 17 x 15 x 1. Co. clk.'s strm., attic.

VIII. CORONER

The coroner's office in De Witt County has continued in existence from the organization of the county, in 1839, to the present.¹ The coroner is elected by the county electorate for a four-year term.² After certification of his election by the county clerk, filing of his bond, and taking oath of office, he receives his commission from the Governor.³ The coroner's bond in this county is required in the sum of \$5,000 and must be approved by the county judge.⁴ The compensation of the coroner is fixed by the county board within the limits set by the constitution. In counties the size of De Witt with a population of 18,244, the compensation of the coroner is not to exceed \$1,500 a year.⁵ The inquest duties of this official have changed little over a period of more than a century. The coroner acts as a conservator of the peace with powers equal to those of the sheriff in this respect and serves as a ministerial officer of the courts in the absence or disqualification of the sheriff; he also performs all the duties of the latter when the office is vacant.⁶

The most important function of the coroner is to hold inquests over the bodies of persons supposed to have come to their death by violence, casualty, or other undue means. When notification of such death is received, the coroner proceeds to the body, takes charge of it, and summons a jury composed of six men from the vicinity in which the body was found. The jury is instructed to assemble at a stated time and place, to view the body, and to inquire into the cause and manner of the death. If the inquest is continued and a vacancy should occur on the jury, the coroner is allowed to fill such vacancy.⁷

To the custody of the clerk of the circuit court are returned the verdict of the jury and such recognizances as may be given the coroner

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1. Const. 1818, Art. III, sec. 11; L. 1849, Second Sess., p. 7; Const. 1870, Art. X, sec. 8.
 2. The office is constitutional and elective (Const. 1818, Art. III, sec. 11; Const. 1870, Art. X, sec. 8). The term, formerly two years, is now four years (second amendment, November 23, 1880, to Const. 1870, Art. X, sec. 8).
 3. R.S. 1845, p. 514; R.S. 1874, p. 281.
 4. Ibid.
 5. Const. 1870, Art. X, sec. 10.
 6. L. 1819, p. 111, 160; L. 1821, p. 20-23; L. 1825, p. 63, 64; R.L. 1827, p. 246-50, 372-75; R.S. 1845, p. 515, 517; R.S. 1874, p. 281, 282.
 7. L. 1821, p. 22-24; R.S. 1845, p. 517, 518; R.S. 1874, p. 282-84; L. 1879, p. 82; L. 1907, p. 213; L. 1919, p. 403, 404; L. 1931, p. 388, 389.

by witnesses whose testimony implicates any person as the unlawful slayer of the deceased.¹ In his office, the coroner files and preserves the record of such testimony.² The coroner also keeps one record which he originates, the "inquest record." This record recapitulates all the data involved in the entire inquest procedure and includes an inventory and accounting of the personal property and money of the deceased.³

Deputy coroners appointed by this official assist him in the performance of the duties of his office. The number of deputies is set by rule of the circuit court, and their compensation is determined by the county board of supervisors. The bond or securities of those assistants are taken by the coroner and the oath to which each subscribes is filed in the county clerk's office.⁴

270. (CORONERS' INQUESTS), 1900--. 11 f.b. (789-93, 798, 800, 324, 325, 331, 332).

Original papers of coroners' inquests, showing names of deceased, coroner, witnesses, and jurors, date and place of inquest, coroner's verdict, and date of filing. Arr. by name of deceased. For index, see entry 271. Hdw. on pr. fm., and typed on pr. fm. 5 x 8 x 8 $\frac{1}{2}$ - 11 x 5 x 14. F.b. 789-93, 798, 800, 1900-1924, cir. clk.'s strm., attic; f.b. 324, 325, 331, 332, 1925--, cir. clk.'s off., 1st fl.

271. COMPLAINANTS' INDEX (Coroner's Index), 1900--. 1 v.

Index to (Coroners' Inquests), entry 270, showing case number, name of deceased, and date of inquest. Arr. alph. by name of deceased. Hdw. under pr. hdgs. 290 p. 16 x 12 x 1 $\frac{1}{2}$. Cir. clk.'s off., 1st fl.

272. CORONER'S RECORD, 1882--. 3 v. (A, 2 not labeled).

Record of coroner's inquests, showing name and description of deceased, date and place of inquest, names of jurors and witnesses, residence and occupation of witnesses, verdict of jury, inventory of personal effects of deceased and their disposition, testimony of witnesses, date and place of burial, and coroner's remarks. Arr. alph. by name of deceased. No index. Hdw. on pr. fm. 260 p. 18 x 13 x 2 $\frac{1}{2}$. V. A, 1 not labeled, 1882-1930, cir. clk.'s strm., attic; 1 v. not labeled, 1931--, cor.'s residence, Clinton, Illinois.

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1. L. 1821, p. 24,25; R.S. 1845, p. 518; R.S. 1874, p. 283.
 2. L. 1869, p. 104,105; R.S. 1874, p. 283; L. 1907, p. 213,214; L. 1919, p. 293,294.
 3. L. 1821, p. 25,26; R.S. 1874, p. 283.
 4. Const. 1870, Art. X, sec. 9; L. 1881, p. 63.

IX. STATE'S ATTORNEY

In De Witt County, since its organization in 1839, the state's attorney has commenced and prosecuted in courts of record all actions in which the people of the state or county were concerned.¹ Legislation enacted in 1835 provided that the state's attorney be appointed by the General Assembly.² This provision remained effective until 1848, when the state's attorney became an elective officer of the circuit district electorates.³ At this time his services also were expanded to include the newly created county court. Finally, the present constitution made the office elective in and for each county.⁴ Bond in the sum of \$5,000 has been required since 1872.⁵ From the creation of this office in the state until the present, the state's attorney has continued to receive his commission from the Governor for the tenure of his office.⁶ In 1827 his appointment was set at a four-year term;⁷ in 1835 his term was reduced to two years.⁸ Then, in 1848, the term was extended and provisions made for his election with the first election to be in September and the second to be in November 1852, with succeeding elections every fourth year thereafter.⁹ In De Witt County he receives \$2,250 yearly, with an additional \$400 paid by the state. Statutory fee rates are allowed him for convictions on specified offenses and crimes before justices of the peace, police magistrates, county and circuit courts. Also, rates are established for preliminary examinations of defendants, for attendance at trials, and for appeals. These several fees and rates make up a county fund from which his salary is paid.¹⁰

The duties of the state's attorney are the following:

1. To commence and prosecute all actions, suits, indictments, and prosecutions, civil or criminal, in any court of record in his county in which the people of the state or county may be concerned.

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1. R.L. 1827, p. 79,80; L. 1835, p. 44; R.S. 1845, p. 76; R.S. 1874, p. 173,174.
 2. L. 1835, p. 44. From 1827 to 1835 the state's attorney was appointed by the Governor (R.L. 1827, p. 79,80).
 3. Const. 1848, Art. V, sec. 21.
 4. Const. 1870, Art. VI, sec. 22; R.S. 1874, p. 172.
 5. L. 1871-72, p. 189.
 6. R.L. 1833, p. 98; L. 1835, p. 44; Const. 1848, Art. V, sec. 28; Const. 1870, Art. VI, sec. 22; R.S. 1874, p. 172.
 7. R.L. 1827, p. 79,80.
 8. L. 1835, p. 44.
 9. Const. 1848, Art. V, sec. 13,21.
 10. L. 1871-72, p. 422; L. 1873-74, p. 104,105; L. 1909, p. 231-33; L. 1929, p. 474-76; L. 1937, p. 607.

2. To prosecute all forfeited bonds and recognizances and all actions and proceedings for the recovery of debts, revenues, moneys, fines, penalties, and forfeitures accruing to the state or his county, or to any school district in his county; also to prosecute all suits in his county against railroads or transportation companies, which may be prosecuted in the name of the people of the State of Illinois.
3. To commence and prosecute all actions and proceedings brought by any county officer in his official capacity.
4. To defend all actions and proceedings brought against his county or against any county or state officer, in his official capacity, in his county.
5. To attend the examination of all persons brought before any judge on habeas corpus when the prosecution is in his county.
6. To attend before justices of the peace and prosecute charges of felony or misdemeanor for which the offender is required to be recognized and to appear before a court of record when it is within his power to do so.
7. To give his opinion without fee or reward, to any county officer or justice of the peace in his county upon any question of law relating to any criminal or other matter in which the people of the state or county may be concerned.
8. To assist the Attorney General whenever it may be necessary, and in cases of appeal or writ of error from his county to the Supreme Court, to which it is the duty of the Attorney General to attend, he shall, a reasonable time before the trial of such appeal or writ of error, furnish the Attorney General with a brief, showing the nature of the case and the questions involved.
9. To pay all moneys received by him in trust, without delay, to the officer who by law is entitled to their custody.
10. To perform such other and further duties as may from time to time be enjoined upon him by law.
11. To appear in all proceedings by collectors of taxes against delinquent taxpayers for judgment to sell real estate, and to see that all the necessary preliminary steps have been legally taken to make the judgment legal and binding.¹

1. R.S. 1845, p. 76; R.S. 1874, p. 172-74.

State's Attorney

12. To enforce the collection of all fines, forfeitures, and penalties imposed or incurred in the courts of record in his county; and to report to the circuit court on the collection of these moneys.¹

For reports of the state's attorney to the circuit court, see entries 220[xvii], 245.

1. L. 1909, p. 406; L. 1912, Third Sp. Sess., p. 88; L. 1929, p. 475.

X. SUPERVISOR OF ASSESSMENTS

The county supervisor of assessments, with the aid of the township assessors in De Witt County, is responsible for the assessment of property upon which the township, district, county, state, and other taxes are levied. Principally, these officers annually revise the assessment of property, correct the same upon complaint, and quadrennially assess real and personal property.¹ Many statutory provisions have regulated this function in De Witt County. Early laws fixed the value of the several categories of real and personal property, leaving to the assessing officer only limited discretion.²

Property assessments in De Witt County were first made by district assessors, appointees of the county commissioners' court.³ In 1844, this duty was assumed by the county treasurer⁴ and continued to be vested in that office until 1859 when township organization was instituted in this county⁵ and assessments were made by township assessors elected one in each township annually.⁶

Between 1849 and 1898, the assessing officers in De Witt County received their assessment lists from, and reported assessments to, the county clerk.⁷ In 1898 the legislature provided that the county treasurer should be supervisor of assessments, ex officio.⁸ From that date until the present, township assessors have worked under the direction of, and reported the assessment of property to, the treasurer, acting in this ex officio capacity. Every assessor is bonded in the sum of \$500. Bond for the supervisor of assessments is \$2,000 or such larger sum as the county board may determine.⁹ Compensation of the supervisor is fixed by the county board.¹⁰

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1. L. 1871-72, p. 20-22; L. 1879, p. 243; L. 1881, p. 134; L. 1891, p. 187; L. 1898, p. 37,40,44; L. 1903, p. 295,296; L. 1923, p. 491,492, 504,505; L. 1927, p. 713,714; L. 1928, Third Sp. Sess., p. 106; L. 1931-32, First Sp. Sess., p. 66.
 2. L. 1819, p. 313-19; L. 1825, p. 173; L. 1839, p. 4-6; L. 1840, p. 4; L. 1845, p. 6.
 3. L. 1839, p. 4.
 4. L. 1843, p. 231,237. Effective in 1844.
 5. De Witt County adopted township organization in 1858, but the change did not become effective until 1859.
 6. L. 1851, p. 38,54-57; L. 1853, p. 14,15; L. 1855, p. 35,37; L. 1871-72, p. 20-24.
 7. L. 1849, p. 121,128; L. 1849, Second Sess., p. 38; L. 1853, p. 14,17, 47,49,50; L. 1871-72, p. 19,20,22,23.
 8. L. 1898, p. 36,37.
 9. Ibid., p. 38,39; L. 1923, p. 493,494; L. 1927, p. 743,744.
 10. L. 1898, p. 892.

For other taxation records, see ontries 25-41, 79[v, xxvi, xxxvi, xxxvii, xxxix, xli, xlv-xlvi], 128, 276-290, 359, 361-367, 370, 371, 375.

273. SUPERVISOR OF ASSESSMENTS, 1919--. 1 f.b

Annual reports of assessors' meetings, including rate sheet furnished assessors by supervisors of assessments and individual property tax return used in fixing scale of taxes, and showing date of meeting, tax scale, and names of assessors and supervisors of assessments. Arr. by date of meeting. No index. Typed and typed on pr. fm. 11 x 5 x 14. Treas.'s vlt., 1st fl.

274. (TAX SCHEDULES, RAILROAD, TELEPHONE, AND TELEGRAPH), 1933--. 2 f.d.

Papers of railroad, telephone and telegraph tax schedules, showing name and affidavit of company, legal description of property, valuations by company and assessor, tax rate, total amount of tax, and date of filing. No obvious arr. No index. Hdw. under pr. hdgs. 5 x 8 x 16. Co. clk.'s off., 1st fl.

275. (SCHEDULE OF PERSONAL PROPERTY), 1938--. 28 v.

Duplicate tax schedules of personal property, showing name, address, and occupation of tax payer, description of property, owner's valuation, assessed valuation, date and signatures of assessor and owner. Arr. by sec., twp., and range nos. No index. Hdw. under pr. hdgs. 250 p. 9 x 15 x 2. 14 v., 1938, treas.'s vlt., 1st fl.; 14 v., 1939--, co. clk.'s off., 1st fl.

XI. BOARD OF REVIEW

The authority to assess, equalize, and review or revise the assessment of property, an important aspect of the revenue procedure, is exercised by the board of review.¹ Early legislation provided for appeals from assessments to the county commissioners' court. The court was empowered to review and revise assessments on real and personal property.² In 1849 the county court succeeded the county commissioners' court in De Witt County, and appeals were made to that body.³ When township organization was instituted in 1859⁴ this jurisdiction was given in each town to a board composed of the township supervisor, clerk, and assessor.⁵ The board of supervisors in their annual meeting examined the assessment rolls in the several towns to ascertain whether the valuations in one town bore just relation to the valuations in all other towns in the county, and were empowered to increase or diminish the aggregate valuation of real estate in any town accordingly. They could make whatever alterations they deemed necessary in the description of the lands of nonresidents, and were required to assess the value of any lands omitted by the assessor.⁶ In 1872 the duties of the board of supervisors with regard to assessments were the following:

1. To assess omitted property.
2. To review assessments upon complaint.
3. To hear and determine the application of any person assessed on property claimed to be exempt from taxation.
4. To ascertain whether the valuation in one town or district bore just relation to the valuation in all towns or districts in the county and adjust the assessment.⁷

In 1898 this authority was transferred to the newly created board of review, composed of the chairman of the county board who became chairman, ex officio, of the board of review, the county clerk, and one citizen appointed by the county judge.⁸ Since 1923 the board has consisted of the chairman of the county board as chairman, ex officio, of the board of

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1. L. 1898, p. 46-49; L. 1915, p. 566-70; L. 1919, p. 727; L. 1923, p. 496-502; L. 1930, First Sp. Sess., p. 85-90; L. 1931-32, First Sp. Sess., p. 71,75-78; L. 1935, p. 1163-66.
 2. L. 1839, p. 7; L. 1843, p. 237; L. 1845, p. 8; R.S. 1845, p. 441.
 3. L. 1849, p. 65.
 4. De Witt County adopted township organization in 1858, but the change did not become effective until 1859.
 5. L. 1851, p. 56; L. 1871-72, p. 21,22,24,25.
 6. L. 1851, p. 57,58; L. 1871-72, p. 24,25.
 7. Ibid.
 8. L. 1898, p. 46.

review and two citizens appointed by the county judge. The members of the board select their own clerk. The two citizen members are appointed alternately for a two-year term.¹ The compensation of the members of the board of review and its clerk is fixed by the county board.²

Today, the board of review in De Witt County is required to assess taxable property omitted from the regular assessment, to review and correct assessments on property claimed to be incorrectly assessed, to increase or reduce the entire assessment if, in their opinion, it has not been made upon the proper basis, and to hear and determine the application of any person assessed on property claimed to be exempt from taxation, which application if successful must be approved by the tax commission to be final. If such application is not approved the owner may have the question of exemption determined by judgment or decree of court, and the board of review may correct any error or mistake (other than an error of judgment as to valuation), with the approval of the assessing authority, any time before judgment of the court.³

For other taxation records, see entries 25-41. 79[v, xxvi, xxxvi, xxxvii, xxxix, xli, xlv, xlviii], 128, 273-275, 281-290, 359, 361-367, 370, 371, 375.

276. COMPLAINT DOCKET, BOARD OF REVIEW, 1899--. 4 v. (1-4). Docket of tax complaints, showing number and date of complaint, name of complainant, legal description of property, assessed valuation, reason for complaint, and findings and orders of board of review. Arr. by complaint no. 1899-1918, indexed alph. by name of complainant; 1919--, no index. Hdw. under pr. hdgs. 200 p. 18 x 12 x 2. V. 1, 2, 1899-1925, co. clk.'s strm., attic; v. 3, 1926-36, co. clk.'s vlt., 1st fl.; v. 4, 1937--, co. clk.'s off., 1st fl.

277. (TAX COMPLAINTS), 1924--. 2 f.b., 1924--; 1 bdl., 1935--. Complaints of taxpayers to board of review on tax assessment, showing name of taxpayer, location and description of property, reason for complaint, and date of filing. No obvious arr. No index. Hdw. on pr. fm. F.b. 5 x 9 x 13 - 11 x 5 x 14; bdl. 7 x 9 x 5. 1 f.b., 1924-34, 1 bdl., 1935--, co. clk.'s vlt., 1st fl.; 1 f.b., 1937--, co. clk.'s off., 1st fl.

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1. L. 1923, p. 496,497; L. 1931-32, First Sp. Sess., p. 71,72.
 2. L. 1939, p. 897.
 3. L. 1898, p. 46-49; L. 1915, p. 566-70; L. 1919, p. 727; L. 1923, p. 496-502; L. 1930, First Sp. Sess., p. 85-90; L. 1931-32, First Sp. Sess., p. 70,71,75-78; L. 1935, p. 1163-66; L. 1939, p. 929,930.

278. (MINUTES OF BOARD OF REVIEW), 1928—. 2 v.

Record of minutes of board of review, showing date and place of meeting, names of members and clerk present, type of business transacted, and time of adjournment of meeting. Arr. by date of meeting. No index. Hdw. 300 p. 10 x 8 x 1. Co. clk.'s vlt., 1st fl.

279. TAX COMMISSION DESCRIPTIONS (Rulings), 1929—. 1 f.b.

Illinois Tax Commission instructions and suggestions for filing tax returns and letters from attorney general quoting law relating to various types of taxes. Arr. by date of entry. No index. Typed and printed. 11 x 5 x 14. Treas.'s vlt., 1st fl.

280. TAX OBJECTIONS, 1932—. 1 f.b.

Copies of taxpayers' objections to assessed taxes, and court decree covering same with copies of tax receipt, showing name of taxpayer, legal description of property, amount assessed, excess tax claimed, amount and date of payment, and date of objection. Arr. by date of objection. No index. Typed and typed on pr. fm. 11 x 5 x 14. Treas.'s vlt., 1st fl.

XII. COLLECTOR

Tax collections in De Witt County were first made by the county collector who was appointed by the county commissioners' court.¹ This office was in existence from 1839 to 1844, when the sheriff became county collector,² ex officio, and continued to act in this capacity until 1859; in that year township organization was instituted in this county,³ and tax collections became the joint responsibility of the townships and the county, with the county treasurer acting as county collector,⁴ ex officio.

Under this plan, town collectors, elected one in each township,⁵ made collections of resident property taxes;⁶ nonresident and delinquent taxes were collected by the county treasurer.⁷ By the terms of an act of 1855 the town collectors were required to return their tax lists or books to the county collector who delivered them to the county clerk.⁸ This provision was changed in 1872 by an act of the General Assembly which provided that the county collector should make an annual sworn statement to the county clerk, showing the total amount of each kind of tax collected, the amount received from each town collector, and the amount collected by himself.⁹

The collection procedure in De Witt County was altered in 1917 when the legislature provided for the abolishment of the office of town collector in counties with fewer than 100,000 inhabitants, the county collector to be town collector, ex officio, in such counties.¹⁰ As De Witt County has not attained this population minimum,¹¹ the county collector has since 1917 made collections for the townships as well as for the county.¹²

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1. L. 1839, p. 7.
 2. L. 1843, p. 234; L. 1853, p. 99. The sheriff was county collector, ex officio, from 1819 to 1839 (L. 1819, p. 316).
 3. De Witt County adopted township organization in 1858, but the change did not become effective until 1859.
 4. L. 1851, p. 38,59-64; L. 1853, p. 67.
 5. L. 1851, p. 38.
 6. *Ibid.*, p. 59.
 7. *Ibid.*, p. 53.
 8. L. 1855, p. 37.
 9. L. 1871-72, p. 56,57; L. 1873-74, p. 56; L. 1930, First Sp. Sess., p. 66,67; L. 1931, p. 756; L. 1931-32, First Sp. Sess., p. 112; L. 1933, p. 873,921; L. 1933-34, Third Sp. Sess., p. 220; L. 1935, p. 1156,1213; L. 1935-36, Fourth Sp. Sess., p. 69,70.
 10. L. 1917, p. 793.
 11. The population of De Witt County was 18,906 in 1910; 19,252 in 1920; and 18,598 in 1930 (Population Bulletin, p. 8). In 1940 the population was 18,244 (Illinois Final Population).
 12. L. 1917, p. 793; L. 1925, p. 605; L. 1929, p. 774,775; L. 1931, p. 905-8; L. 1933, p. 1115,1116.

The county collector is bonded in an amount determined upon by the county board in addition to that bond required of him as county treasurer.¹ Under statutory provisions, he collects taxes for the state, county, and other governmental agencies, and pays to the proper authorities the amount in his hands payable to them.² He also settles annually with the county board.³ He prepares an annual list of delinquent property and files it with the county clerk,⁴ advertises his intention of applying for judgment for sale of delinquent lands and lots,⁵ and is required to attend, in person or by deputy, all tax sales resulting from this action.⁶ The county clerk, in person or by deputy, is also required to attend all tax sales.⁷ At such sales, the clerk and collector note and make entry of all tax sales and forfeitures to the state.⁸

The county collector is required to keep his records as collector of taxes separate from his records as county treasurer.⁹ The records of the collector's office include duplicates of receipts issued to taxpayers, state auditor's and county clerk's certifications of the collector's settlements with them, duplicates of the collector's reports, delinquent property records, and tax sale and forfeiture records.

The compensation of the county collector is fixed by law. In counties the size of De Witt, the collector receives:

1. Three percent commission on money collected and paid over to the proper officer.
2. One percent commission on money collected from incorporated cities, villages, and municipalities in counties under township organization.
3. One and one-half percent commission on money paid to him by township collectors.
4. A fee of three cents per tract for making lists of delinquent real estate for the county clerk and a like fee for making lists for the printer.

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1. L. 1871-72, p. 36; L. 1931, p. 748; L. 1931-32, First Sp. Sess., p. 85,86; L. 1933-34, Third Sp. Sess., p. 225,226.
 2. L. 1871-72, p. 56-59; L. 1933, p. 922; L. 1935, p. 1156,1213; L. 1935-36, Fourth Sp. Sess., p. 68,69.
 3. L. 1871-72, p. 55; L. 1935, p. 1155,1156.
 4. L. 1898, p. 51; L. 1931, p. 759.
 5. L. 1871-72, p. 44; L. 1937, p. 1010.
 6. L. 1871-72, p. 48; L. 1930, First Sp. Sess., p. 64.
 7. L. 1871-72, p. 48.
 8. Ibid.; L. 1933, p. 886.
 9. L. 1917, p. 664,665; L. 1930, First Sp. Sess., p. 60-62; L. 1935, p. 1149-58.

5. A fee for selling lands and town lots amounting to ten cents for each tract and three cents collected in costs as a charge against each lot.¹

For other taxation records, see entries 25-41, 79[v, xxvi, xxxvii, xxxix, xli, xlv-xlvi], 128, 273-280, 359, 361-367, 370, 371, 375.

Collection

281. JOURNAL, 1873--. 4 v. (1 not labeled, 1, 2 not labeled).
Missing: 1917-18, 1921-30. Title varies: Collector's Account
County Funds, 1 v., 1873-1916; County Collector's County Cash
Book, 1 v., 1919-20.

County collector's accounts of all taxes received from each township, showing date and amount of receipts, tax spread, total tax, and balance on hand. Arr. by date of payment. No index. 1873-1920, hdw. under pr. hdgs.; 1931--, hdw. 170 - 240 p. 14 x 9 x 1 - 18 x 12 x 2. 1 v. not labeled, 1873-1916, co. clk.'s strm., attic; v. 1, 2 not labeled, 1919--, treas.'s vlt., 1st fl.

282. COUNTY COLLECTOR'S (Accounts), 1933--. 3 v.
Register of county collector's bank accounts, showing names of banks, amount of deposit, date, and how credited. Arr. by date of deposit. No index. Hdw. 150 p. 10 x 8 x 1. Treas.'s vlt., 1st fl.

283. TAX RECEIPTS, 1934--. 93 bdl., 25 v. (A-M, Mc, N-T, UV, W, Y, Z).
Copies of county collector's tax receipts, showing name of tax payer, receipt number, legal description of property, assessed valuation, amount of each installment, date due, total tax, and date of payment. Arr. alph. by name of tax payer. No index. Typed on pr. fm. Bdl. 9 x 7 x 2; v. 200 p. 8 x 10 x 2. 93 bdl., 1934-36, co. clk.'s strm., attic; 25 v., 1937--, treas.'s vlt., 1st fl.

284. TOWN COLLECTORS' ACCOUNTS, 1879-1918. 2 v. (A, B). Last entry 1910.
Township collectors' accounts with county collector, showing names of township and collector, description, year, and amount of tax due county treasurer, amounts delinquent, and collector's commission. Arr. by name of twp. and date of account. No index. Hdw. on pr. fm. 215 p. 18 x 13 x 3. Co. clk.'s strm., attic.

1. L. 1871-72, p. 437; L. 1877, p. 105.

(285-290)

Collector - Settlement;
Delinquent Lists; Special
Assessments

Settlement

285. RECORD OF FINAL TAX SETTLEMENT, 1926--. 2 f.b.
Files of tax settlement papers, including statements of township supervisors and township treasurers, to county collector, auditor of public accounts' statement of account of county collector; statement of account of county clerk for delinquent and forfeited property, and county treasurer's semi-annual report. Arr. by date of report. No index. Hdw. on pr. fm., and typed on pr. fm. 10 x 5 x 14. Treas.'s vlt., 1st fl.

286. TAX SETTLEMENT RECORD, 1923--. 6 v.
Record of taxes to be collected in each township, showing errors, corrections, abatements, and tax forfeitures, tax spread, and county collector's commission. Arr. by name of twp. No index. Hdw. on pr. fm. 100 p. 21 x 17 x 1. Treas.'s vlt., 1st fl.

Delinquent Lists

287. ABATEMENT RECORD, 1936--. 1 v. 1848-1935 in Collector's Books, ontry 32.
Abatement lists of uncollected personal and real estate taxes, showing names of taxpayer and township, assessed value, amount of each type of tax, total amount credited collector, and book and page of ontry. Arr. by name of twp. No index. Hdw. under pr. hdgs. 200 p. 18 x 26 x 2. Treas.'s vlt., 1st fl.

Special Assessments

288. (SPECIAL DRAINAGE DISTRICT ASSESSMENTS), 1909--. 1 bdl., 1909-16; 1 v., 1930--. Missing: 1917-29.
Lists of special drainage tax assessments, showing name of owner and drainage district location, legal description of lands assessed, number of acres, date and amount of payment. 1909-16, no obvious arr.; 1930--, arr. by date of payment. No index. 1909-16, typed; 1930--, hdw. under pr. hdgs. Bdl.: 5 x 5 x 18; v. 50 p. 18 x 14 x 1. Bdl., 1909-16, co. clk.'s strm., attic; 1 v., 1930--, treas.'s vlt., 1st fl.

289. (RECEIPT - DUPLICATE), 1930-34. 6 v. (1-6).
Duplicate tax receipts for Trenkle Slough special drainage district in McLean, Platt, and De Witt counties, showing name of taxpayer, legal description of land, number of acres, tax spread, amount and date of payment, and signature of county treasurer. Arr. by date of payment. No index. Hdw. on pr. fm. 40 p. 7 $\frac{1}{2}$ x 10 $\frac{1}{2}$ x $\frac{1}{2}$. Treas.'s vlt., 1st fl.

290. DELINQUENT SPECIAL ASSESSMENTS, 1919-23. 1 v.
Lists of delinquent special assessments, showing name of taxpayer, legal description of property, amount of installment, interest, total amount collected, date of payment, and name of payer. Arr. by date of payment. No index. Hdw. under pr. hdgs. 100 p. 18 x 17 x 1 $\frac{1}{2}$. Treas.'s vlt., 1st fl.

XIII. TREASURER

In De Witt County the treasurer has been an elective official since its organization in 1839;¹ at that time the term of office was four years.² Later it was reduced to two years,³ which was continued by the Constitution of 1870;⁴ however, the constitution was amended in November 1880, lengthening the term again to four years.⁵ This amendment also made the county treasurer ineligible for reelection to the office until four years after the expiration of his term.⁶ He is commissioned by the Governor.⁷ The penal sum of his bond and his securities are passed upon by the county board,⁸ and the bond is filed in the office of the county clerk. The treasurer is allowed for compensation, in counties the size of De Witt, one percent for receiving and one percent for paying out all moneys, county orders, and jury certificates received and paid out by him.⁹

In the performance of his duties, the treasurer receives the revenue of the county, has custody of its funds, and disburses them in accordance with orders of the county board or specific authorization by law. He is required to keep books of accounts of all funds received and disbursed by him, to maintain a register of county orders countersigned and paid, to report annually to the county board on the financial transactions of his office, and to settle his accounts with the board semiannually.¹⁰ The last two requirements give rise to a number of segregated records of accounts beyond strict statutory requirements. In addition, reports are made to the treasurer by other county, district, public, and semipublic authorities in the process of transacting business with him; and, finally, a large number of records arise from the requirement for collectors of taxes to settle their accounts with the treasurer.¹¹

The treasurer acts as treasurer, ex officio, of the special drainage district.¹²

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1. L. 1837, p. 49.
 2. Ibid., p. 274.
 3. L. 1845, p. 28; L. 1851, p. 144.
 4. Art. X, sec. 3.
 5. Ibid., as amended November 1880.
 6. Ibid.
 7. L. 1837, p. 329; R.S. 1874, p. 323.
 8. Ibid.
 9. L. 1933, p. 618; L. 1935-36, Second Sp. Sess., p. 72.
 10. L. 1837, p. 194,195; L. 1843, p. 151; R.S. 1845, p. 137-39; L. 1861, p. 239,240; R.S. 1874, p. 323,324.
 11. R. L. 1827, p. 330-33; L. 1839, p. 8-10; L. 1845, p. 11; L. 1895, p. 304; L. 1913, p. 516; L. 1953, p. 898.
 12. L. 1885, p. 78,104.

General Accounts

Registers and Ledgers

291. TREASURER'S ACCOUNT BOOK, 1840--. 7 v. (2 not labeled, 1840-72; 3-7, 1883--). Missing: 1873-82.

County treasurer's account of receipts and disbursements, showing date, amount and purpose of receipt and disbursement, names of payer or payee, accounts credited or debited, total receipts and disbursements, and balance on hand in each fund. Arr. by date of receipt or expenditure. No index. 1840-72, hdw.; 1883--, hdw. under pr. hdgs. 148 - 640 p. 12 x 9 x 1 - 18 x 13 x 2. 1 v., 1840-57, in poor condition. 2 v. not labeled, 1840-72, co. clk.'s strm., attic; v. 3-7, 1883--, treas.'s vlt., 1st fl.

292. COUNTY TREASURER (Accounts), 1930--. 3 v.

Record of county treasurer's bank accounts, showing name of bank, amount of deposit, date and nature of credit. Arr. by date of deposit. No index. Hdw. 150 p. 10 x 8 x 1. Treas.'s vlt., 1st fl.

293. COUNTY TREASURER FUND ACCOUNT, 1933--. 2 v.

Ledger of county funds, showing date and amounts received and credited to various county funds, date and amounts of appropriation, purpose of expenditures, and warrant number. Arr. by type of expense and date of receipt. No index. Typed under pr. hdgs. 200 p. 12 x 15 x 2. Treas.'s vlt., 1st fl.

County Orders

294. COUNTY ORDER REPORTS, 1930--. 1 f.b.

List of cancelled county orders and jury certificates, showing order number, to whom issued, amount, total, and month of cancellation. Arr. by date of cancellation. No index. Typed under pr. hdgs. 10 x 5 x 14. Treas.'s vlt., 1st fl.

295. EX OFFICIO BOARD (Register of Fees), 1929--. 1 v.

Register of county orders for jury, witness, coroner, and county reporter fees, showing date, amount, order number, and name of payee. Arr. by type of fee and order no. No index. Hdw. 300 p. 18 1/2 x 13 x 2. Treas.'s vlt., 1st fl.

296. ORDER BOOK (Register of County Orders), 1928-33. 1 v. (B).

Register of county orders, showing order numbers, subject, date, amount, and purpose of issue, name of payee, and date of cancellation. Arr. by subject and order no. No index. Hdw. under pr. hdgs. 240 p. 18 x 13 x 2. Co. clk.'s strm., attic.

297. COUNTY HIGHWAY WARRANT REGISTER, 1935--. 2 v.

Register of cancelled highway warrants, showing date, amount, number, and purpose of warrant, name of payee, and date of cancellation. Arr. by warrant no. No index. Hdw. and typed under pr. hdgs. 40 + 100 p. 12 x 12 x 1 - 14 1/2 x 13 x 1. Treas.'s vlt., 1st fl.

298. COUNTY HIGHWAY WARRANTS (Cancelled), 1936--. 1 v.

Stub record of county highway cancelled warrants, showing name of bank, type of fund, warrant number, amount and date of cancellation. No index. Hdw. on pr. fm. 80 p. 10 x 8 x 1. Treas.'s vlt., 1st fl.

Special Accounts

Probate

299. ESCHEAT CLAIMANTS LITIGATIONS, UNDERTAKERS (Estate Funds), 1919--. 2 f.b.

Copy of court order authorizing county treasurer to pay estate funds held in trust, showing name of estate, date and amount of payment, name of payee, and date of filing. Arr. by date of filing. No index. Typed. 11 x 5 x 14. Treas.'s vlt., 1st fl.

Inheritance Tax

300. INHERITANCE TAX, 1918--. 3 f.b.

Copy of court order fixing inheritance tax where there is no appraiser, including petition to determine tax, affidavit of executor, administrator or heir for inheritance tax appraisal, and court order fixing value of estate, and showing names of estate, heirs, executor or administrator, and county judge, dates, amounts of taxes paid to stato. Arr. by date of receipt. No index. Typed and typed on pr. fm. 11 x 5 x 14. Treas.'s vlt., 1st fl.

301. INHERITANCE TAX, 1922--. 1 v.

Accounts record of inheritance taxes levied and collected, showing names of estate, heirs, administrator or executor, and appraisers, valuation of estate, rate of tax, amounts of fees, commissions, and expenses, and date and amount of payment. Arr. by date of payment. Indexed alph. by name of estate. Hdw. on pr. fm. 101 p. 16 x 10 x 1 1/2. Treas.'s vlt., 1st fl.

Highway

302. MOTOR FUEL TAX, 1934--. 1 f.b.

Copies of vouchers issued for motor fuel tax allotment by State Department of Finance to county treasurer, showing voucher number, date, and amount, date of filing, and letters of district engineer authorizing transfer of funds from one account to another. Arr. by date of filing. No index. Typed on pr. fm. 11 x 5 x 14. Treas.'s vlt., 1st fl.

303. (REGISTER OF HIGHWAY FUNDS RECEIVED), 1935--. 1 v.
Register of highway funds received and credited to motor fuel tax funds, showing receipt number, name of payer, how credited, amount of treasurer's fees, and date of receipt. Arr. by date of receipt. No index. Hdw. under pr. hdgs. 150 p. 12 x 18 x 1. Treas.'s vlt., 1st fl.

304. COUNTY MOTOR FUEL TAX ALLOTMENTS RECORD, 1935--. 1 v.
Record of motor fuel tax allotments, showing date and amount of receipt, purpose, state-aid road and section allotted to, and balance on hand. Arr. by sec. no. No index. Hdw. under pr. hdgs. 50 p. 10 $\frac{1}{2}$ x 12 $\frac{1}{2}$ x 1. Treas.'s vlt., 1st fl.

Dog License

305. SHEEP CLAIMS, 1919--. Loose papers, 1 bdl., 2 f.b.
Missing: 1926-29.

Claims and reports of damages to sheep by dogs, showing affidavit and address of claimant and witnesses, number of sheep killed, amount and date of claim, amount of allowance, signature of township supervisor, and date of filing. 1919-25, no obvious arr.; 1930--., arr. by date of filing. Hdw. on pr. fm. Bdl. 9 x 3 x 4; f.b. 11 x 5 x 14. Papers and bdl., 1919-25, co. clk.'s strm., attic; 2 f.b., 1930--., treas.'s vlt., 1st fl.

306. DAMAGE CLAIM RECORD, 1922--. 2 v. (1 not labeled, 2).
Record of sheep damage claims allowed, showing claim number, name and address of claimant, name of township, number of sheep killed, appraised value, date and amount of claim, names of witnesses, and date and amount of payment. Arr. by date of payment. Indexed alph. by name of claimant. Hdw. on pr. fm. 200 p. 16 x 12 x 1 $\frac{1}{2}$. Treas.'s vlt., 1st fl.

County Officers

307. RECORD OF SURPLUS EARNINGS OF COUNTY OFFICERS, 1898--. 1 v.
Register of surplus earnings received from county and circuit clerks, recorder, sheriff, and state's attorney, showing date, name of officer, title of office, and amount of receipt and totals. Arr. by date of receipt. No index. Hdw. under pr. hdgs. 320 p. 18 x 13 x 2. Treas.'s vlt., 1st fl.

Court Costs

308. RECORD OF COSTS AND FEES, 1884-1926. 2 v. (1, A).
Missing: 1892.

Register of fees and costs received from county and circuit clerks, showing amount, name of payer, type of fees, title of cause, fee book and page numbers, and date of payment. Volume 1 shows fees received from circuit clerk only. 1884-91, arr. alph. by name of payer; 1893-1926, arr. by date of payment. 1884-91, no index; 1893-1926, indexed alph. by name of person paid. Hdw. under pr. hdgs. 350 p. 18 x 13 x 3. V. 1, 1884-91, co. clk.'s strm., attic; v. A, 1893-1926, treas.'s vlt., 1st fl.

Emergency and Old Age Relief

309. I.E.R.C. COUNTY RELIEF OLD AGE ASSISTANCE PAY ROLL, 1937--.
2 f.b.

Statement to Illinois Emergency Relief Commission of estimate state relief funds of county, including copies of vouchers issued by State Department of Public Welfare to county treasurer for old age assistance, and copies of treasurer's receipts for money paid township supervisors for relief. Arr. by date of statement. No index. Typed on pr. fm. 11 x 5 x 14. Treas.'s vlt., 1st fl.

Drainage

310. DRAINAGE BANK BOOK, 1927--. 2 f.b. Title varies: Drainage Receipts, Pass Books and Assessment Roll, 1 f.b., 1927-36. Bank Books and cancelled checks of special drainage district commissioners, showing check number, date, amount, and to whom issued, amount of deposits, bank statements, and balance on hand; also contains tax list of special assessments for drainage districts, 1927-37. Arr. by check no. No index. Hdw. on pr. fm., typed on pr. fm., and hdw. under pr. hdgs. 11 x 5 x 14. Treas.'s vlt., 1st fl.

311. JOURNAL - DRAINAGE DISTRICTS, 1922--. 4 v. (3 not labeled, 2). Accounts journal of special drainage districts, showing name of district, date, name of payer and amount, date, amount and purpose of expenditure, and balance on hand. Arr. alph. by name of drainage district. 1922-26, indexed alph. by name of drainage district; 1927--, no index. Hdw. 300 p. 14 x 9 x 1. Treas.'s vlt., 1st fl.

312. BANK CONTROL DRAINAGE ACCOUNTS, 1934--. 1 v. Record of special drainage bank account, showing name of bank, amount of deposit for each drainage district, date of deposit and balance on hand. Arr. by name of drainage district. No index. Hdw. 152 p. 9 x 8 x $\frac{1}{2}$. Treas.'s vlt., 1st fl.

Reports

313. REPORTS (Miscellaneous Papers), 1925--. 2 f.b.
Files of miscellaneous reports including:
- i. List of unpaid back taxes by Illinois Central Railroad, 1930, showing amount of court decree, and amounts due or paid by each township.
 - ii. Mothers' pension vouchers, 1935--, showing warrant and voucher numbers, name of mother, number of children, amount and certification of treasurer.
 - iii. Reports of bankruptcy in district court, 1932--, showing name and residence of person filing petition, case number, notice to creditors, and date of filing.
 - iv. Reports of blind expenditures and payments and mothers' pension appropriations, 1932--, showing dates and amounts of appropriations or payments.

- v. Reports of superintendent of schools on cancelled non-high school orders, showing date, amount, and number of order, name of recipient, and date of cancellation.
- vi. Reports of superintendent of schools on non-high school and institute funds, showing date, amount and purpose of receipt or expenditures, and balance available.
- vii. Tax forfeiture statements, 1925-30, showing names of township and taxpayer, description and amount of tax, total, and date of payment.

Arr. by date of filing. No index. Hdw. on pr. fm., typed and typed on pr. fm. 11 x 5 x 14. Treas.'s vlt., 1st fl.

314. COUNTY TREASURER MONTHLY REPORT ON CONDITION OF HIGHWAY FUND, 1925---. 1 v.

Copies of treasurer's monthly reports to county clerk and county superintendent of highways on motor fuel tax fund, showing balance on hand, deposits for month, amount of warrants cancelled during month, amount of warrants outstanding, balance on hand, fund surplus or deficit, date of report, and signature of county treasurer. Arr. by date of report. No index. Typed on pr. fm. 100 p. 9 x 12 x 1. Treas.'s vlt., 1st fl.

315. AUDIT REPORT, 1938. 1 v.

Reports of certified public accountant on audit of county offices, showing amounts of receipts and expenditures of each office, balance on hand, and signature of accountant. Arr. by schedule no. or type of fund. No index. Typed. 31 p. 12 x 9 x $\frac{1}{2}$. Treas.'s vlt., 1st fl.

XIV. SUPERINTENDENT OF SCHOOLS

The first county school official in De Witt County was the county school commissioner.¹ The principal duties of this officer, an appointee of the county commissioners' court, centered around the sale of school lands. His reports of these sales were made to the county commissioners' court and recorded by its clerk in a well-bound book kept for that purpose.² The school commissioner also reported to the county commissioners' court on his other transactions in regard to the school fund.³ Beginning with the year 1841, the school commissioner was elected for a two-year term.⁴ In 1845 the school commissioner became ex officio superintendent of common schools.⁵ For his ex officio duties as superintendent of schools, the commissioner received additional compensation for the days actually engaged in the performance of these duties.⁶ In 1865 the office of county superintendent of schools was established as an independent office, and had delegated to it the authority formerly vested in the county school commissioner.⁷

The superintendent of schools is a statutory office, now elective for a term of four years.⁸ Before entering upon his duties he must take and subscribe to an oath and execute a bond in the penal sum of not less than \$12,000 to be approved by the county board or by the judge and clerk of the county court.⁹

In counties the size of De Witt the superintendent's salary is \$3,000 a year, payable monthly out of the state school fund. However, the county board may allow additional compensation payable quarterly out of the county treasury.¹⁰ The superintendent's office serves as the central school administrative agency for the county. One or more of the several congressional townships comprise the several school districts. Within these administrative units are elected boards of trustees who have executive and financial responsibilities which come under the supervision of the county superintendent.¹¹ The boards of trustees appoint their own

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1. R.L. 1829, p. 150, 151.
 2. Ibid., p. 152, 153.
 3. L. 1831, p. 175.
 4. L. 1841, p. 261, 262.
 5. L. 1845, p. 54.
 6. L. 1849, p. 178.
 7. L. 1865, p. 112; L. 1871-72, p. 702; L. 1889, p. 312; L. 1909, p. 343.
 8. L. 1871-72, p. 702; L. 1909, p. 343; L. 1915, p. 628; L. 1923, p. 596.
 9. L. 1909, p. 345.
 10. L. 1935, p. 871.
 11. L. 1847, p. 126; L. 1909, p. 350; L. 1929, p. 745.

treasurers who also act as clerks of the township (or school district) boards.¹

The superintendent makes quarterly and annual reports to the county board and also reports to the State Superintendent of Public Instruction, the State Department of Public Health, the state fire marshal, and the state architect. His original duties are the following:

1. To sell township fund lands and issue certificates of purchase.
2. To examine the complete accounts of every township treasurer in his county and report irregularities to the township trustees.
3. To conduct a teachers' institute, hold quarterly examinations for teachers' certificates, and issue such.
4. To hold examinations for normal and university scholarships.
5. To visit the public schools in the county, observe methods of instruction, make recommendations to teachers, and advise school officers; to observe sanitary and safety conditions, and notify trustees and state authorities of unsatisfactory conditions; to inspect plans and specifications, and approve those meeting state regulations.²

A noteworthy undertaking of the superintendent of schools is the annual teachers' institute. Pioneer legislation of 1869 provided that the school directors were to allow school teachers to attend the teachers' institute in their county without the loss of time or pay.³ Twenty years later, the superintendent of schools was required to hold the institute annually.⁴ A fund was set up for this purpose which has continued to be made up of the fees received from applicants for teachers' certificates and from teachers' registration. Money from the fund is paid out only on the order of the superintendent to defray the expenses of the annual institute. When the fund exceeds the annual cost of the institute, the excess may be paid out for special meetings of teachers.⁵

1. L. 1927, p. 843.

2. R.S. 1845, p. 498, 499; L. 1847, p. 122; L. 1849, p. 156; L. 1853, p. 246, 247; L. 1855, p. 66, 67; L. 1861, p. 190, 191; L. 1865, p. 119, 120; L. 1909, p. 347-50; L. 1915, p. 636-38.

3. L. 1869, p. 394.

4. L. 1889, p. 312.

5. L. 1905, p. 385; L. 1931, p. 876.

Accounts of School Funds

316. ACCOUNT BOOK OF COUNTY SUPERINTENDENT OF SCHOOLS (Distributive Fund), 1934--. 1 v. 1928-33 in Account Book (Institute Fund), entry 318.

State distributive fund record showing dates and amounts received from state auditor, and amounts credited to township treasurers. Arr. by date of receipt. No index. Hdw. 300 p. 12 x 8 x 1. Off. of supt. of sch., 2nd fl.

317. COUNTY SUPERINTENDENT BUDGET RECORD, 1925-32. 1 v.

Budget ledger of school fund distributions, showing district number, assessed valuation, number of teachers, days of attendance, amounts appropriated to various districts from state distributive fund, and total amount of claims. Arr. by date of entry. No index. Hdw. under pr. hdgs. 100 p. 16 x 22 x 1. Off. of supt. of sch., 2nd fl.

318. ACCOUNT BOOK (Institute Fund), 1927--. 1 v. Missing: 1911-26. Record of institute fund receipts, showing receipt number, name of teacher, amounts of registration and renewal fees, and date of receipt; includes gas tax fund, 1934-35. Also contains Account Book of County Superintendent of Schools (Distributive Fund), 1928-33, entry 316. Arr. by date of receipt. No index. Hdw. 300 p. 12 x 8 x 1. Off. of supt. of sch., 2nd fl.

319. ILLINOIS STATE TEACHERS' PENSION AND RETIREMENT FUND, 1926--.
1 f.b.

Copies of county superintendent of schools annual report to board of trustees on teachers' pension and retirement fund, showing names of teachers, district numbers, months taught during year, number of months constituting a school year, total number of years service in public schools of Illinois and other states, amount withheld for pension fund, monthly salary of teacher, total salary, affidavit of county superintendent of schools, and date of report. Arr. by date of report. No index. Hdw. under pr. hdgs. 5 x 10 x 24. Off. of supt. of sch., 2nd fl.

320. STATE TEACHERS' PENSION AND RETIREMENT FUND RECORD, 1919-25.
1 v.

Teachers' pension record showing name and address of teacher, compulsory or elective contribution, district number, school year, monthly salary, total salary for year, class, total amount deducted, and total number of months taught. Arr. by date of record. For index, see entry 321. Hdw. on pr. fm. 483 p. 9 x 13 x 3. Off. of supt. of sch., 2nd fl.

321. INDEX (To State Teachers' Pension and Retirement Fund Record), 1919-25. 1 v.

Index to State Teachers' Pension and Retirement Fund Record, entry 320, showing teacher's name and page of entry. Arr. alph. by name of teacher. Hdw. 100 p. 16 x 9 x 1/2. Off. of supt. of sch., 2nd fl.

(322-326)

Superintendent of Schools -
Sale of School Lands; School
Districts

322. CASH BOOK, 1902-28. 1 v.

Register of cash receipts credited to institute fund, including distributive, tuition, and teachers' association funds, account with state treasurer, and account with county treasurer, showing amounts received and credited to each fund, and date of receipt. Arr. by date of receipt. Indexed by name of fund. Hdw. 75 p. 15 x 8 x $\frac{1}{2}$. Off. of supt. of sch., 2nd fl.

Sale of School Lands

323. OLD SCHOOL REPORTS, 1841-83. 1 f.b.

Miscellaneous reports including sale of school lands, 1841; annual reports of justices to county superintendent regarding amounts of fines, fees, and forfeitures collected, 1867-83; and poll books and tally sheets, 1841-67. No obvious arr. No index. 1841-55, hdw.; 1856-80, hdw. on pr. fm.; 1881-83, hdw. under pr. hdgs. $5\frac{1}{2}$ x 11 x 24. Off. of supt. of sch., 2nd fl.

School Districts

324. NON-HIGH SCHOOL DISTRICT RECORD, 1917--. 3 v.

Record of non-high school districts, showing description of district boundaries; number and boundaries of voting precincts in district; proceedings and minutes of non-high school board; list of eighth-grade graduates who attended high school from non-high school district with name of pupil, address, age, district number, year of course, months attended, amount of tuition, and date of payment; non-high school district poll books; names of board members, and dates of election and expiration of term. 1 volume, 1917-23, includes financial account of district orders issued, and map of non-high school districts. Arr. by subject matter. No index. Hdw. under pr. hdgs. 185 - 400 p. 12 x 10 x 1 - 18 x 12 x $2\frac{1}{2}$. Off. of supt. of sch., 2nd fl.

325. (CHANGES IN SCHOOL DISTRICTS), 1882-1916. 1 v.

Record of proceedings of school trustees and county superintendent relating to changes in school districts and tax rate, including township treasurers' bonds, 1882-88, and ledger of receipts and disbursements, 1885-1904, showing names of petitioners, trustees, and superintendent of schools, and dates of meetings. Arr. by date of entry. No index. Hdw. 300 p. 12 x 8 x $1\frac{1}{2}$. Off. of supt. of sch., 2nd fl.

326. COUNTY NON-HIGH SCHOOL DISTRICTS, no date. 1 map.

Political map showing boundaries of each school district in township. 10 x 7. Printed. Off. of supt. of sch., 2nd fl.

Teachers' Records

327. ACTIVE TEACHERS' RECORDS, 1914--. 2 v., 2 f.b. Title varies:
Teachers' Permanent Record, 2 v., 1914-23.

Teachers' permanent record showing name and address of teacher, schools attended, date and length of attendance, credits, type of certificate, date, place, and nature of issue, teaching experience, annual salary, pension payments, and date of registration or renewal. 1914-23, arr. by date of issue; 1924--, arr. alph. by name of teacher. For index, 1914-23, see entry 328; 1924--, no index. Hdw. on pr. fm. V. 360 p. 10 x 15 x 1½; f.b. 6 x 9 x 12 1/2. Off. of supt. of sch., 2nd fl.

328. INDEX TO TEACHERS' PERMANENT RECORD, 1914-23. 1 v.

Index to Active Teachers' Records, entry 327, showing name and home address of teachers, and book and page of entry. Arr. alph. by name of teacher. Hdw. under pr. hdgs. 100 p. 15 x 10 x 1½. Off. of supt. of sch., 2nd fl.

329. REGISTRATION AND RENEWAL OF CERTIFICATES, 1919--. 19 bdl., 1 f.b.

Application for registration and renewal of teachers' certificates, showing application and certificate numbers, name and address of teacher, year first taught in state, dates of birth, registration and renewal, year of employment, record of training since last registration or renewal, annual credit report, and date of issue of certificate. Arr. alph. by name of teacher. No index. Hdw. on pr. fm. Bdl. 15 x 19 x 2; f.b. 12 x 13 x 24. 19 bdl., 1919-36, supt. of sch. strm.; 1 f.b., 1937--, off. of supt. of sch., 2nd fl.

330. RECORD OF REGISTRATION OF TEACHERS' CERTIFICATES, 1929-35. 1 v.

Register of teachers' certificates, showing date of registration, name and address of teacher, grade of certificate or registration number, and date of issue. Arr. by date of registration. Indexed alph. by name of teacher. Hdw. under pr. hdgs. 150 p. 14 x 9 x 11. Off. of supt. of sch., 2nd fl.

331. TEACHER'S PROFESSIONAL AND SERVICE RECORD, 1930--. 6 bdl., 1 f.b.

Illinois teachers' professional and service record showing teacher's name, age, and address, number and grade of certificate, schools attended, teaching experience, subjects and grades taught, salary, and amount of contributions to teachers' pension and retirement fund. Arr. by date of entry. No index. Hdw. on pr. fm. Bdl. 8 x 5 x 1; f.b. 5 1/2 x 11 x 24. 6 bdl., 1930-36, supt. of sch. strm., 2nd fl.; 1 f.b., 1937--, off. of supt. of sch., 2nd fl.

Pupil Records

332. RECORD OF GRADUATES, 1922--. 3 v.

Record of examination of eighth-grade graduates, showing name, age, and address of pupil, date of examination, grades received in each subject, school district number, diploma granted, and names of school district or township and teacher. Arr. alph. by name of pupil. No index. 1922-28, hdw. under pr. hdgs.; 1929--, hdw. and typed under pr. hdgs. 150 p. 14 x 10 x 1 1/2. Off. of supt. of sch., 2nd fl.

333. RECORD NON-HIGH SCHOOL PUPILS SEMESTER REPORT, 1928-32. 1 v. Semester reports of non-high school pupils, showing date, school district number, name of high school, name, address and age of pupil, subjects studied and grades received, and signature of high school principal. Arr. by date of report. No index. Hdw. and typed under pr. hdgs. 50 p. 9 x 12 x 1. Off. of supt. of sch., 2nd fl.

334. TRUANCY RECORD, 1919--. 4 v. County truant officer's record showing district number, name, address, and age of child, parent or guardian, dates of term, date and manner of excuse, dates reported and notice served, report to teacher of serving notice and result of proceedings. 1919-28, arr. alph. by name of parent; 1929--, arr. by date of entry. No index. 1919-28, hdw. under pr. hdgs.; 1929--, hdw. 40 - 200 p. 8 x 5 x $\frac{1}{2}$ - 18 x 12 x $1\frac{1}{2}$. Off. of supt. of sch., 2nd fl.

Reports

335. COUNTY SUPERINTENDENT EXAMINATION RECORD, 1914--. 1 v. Report of state examining board, showing date and number of application, name, address, age, and preparation of applicant, examination grades, grade of certificate, and date of report. Arr. by date of report. No index. Typed and hdw. under pr. hdgs. 200 p. 15 x 16 x 1. Off. of supt. of sch., 2nd fl.

336. ILLINOIS STATE EXAMINING BOARD FOR TEACHERS' CERTIFICATES, 1921--. 1 f.b. Copies of reports of state examining board to superintendent of public instruction on teachers' examinations, showing name and address of teacher, type of certificate applied for, schools or institutions attended, certified statement of qualifications, record of high schools and colleges attended, subjects taken, approval or disapproval of examining board, and date of report. Arr. alph. by name of teacher. No index. Hdw. and typed on pr. fm. 12 x 13 x 24. Off. of supt. of sch., 2nd fl.

337. DISTRIBUTIVE FUND REPORT, 1925--. 1 f.b., 1925-33; 1 bdl., 1934; 1 v., 1935--. Copies of superintendent of schools report to school trustees, showing data, totals of district budgets for school year, district number, and total amount of budgets for each district and township. Arr. by date of report. No index. Hdw. on pr. fm. F.b. 5 x 10 x 25; bdl. 15 x 10 x 2; v. 100 p. 12 x 16 x 1. 1 f.b., 1925-33, 1 v., 1935--, off. of supt. of sch., 2nd fl.; 1 bdl., 1934, supt. of sch. strm., 2nd fl.

For data on distributive fund for 1903-24, see entry 322.

338. ANNUAL REPORTS, 1935--. 1 f.b. Miscellaneous school reports including annual report of county superintendent of schools, 1936--, and report of school directors of estimated budget for district, 1938--. Also contains (Trustees' Annual Report, Treasurer's Report), 1937--, entry 339; (Claims for State Aid), 1935--, entry 341; and (Teachers' Annual Reports), 1938--, entry 344. Arr. by date of report. No index. Hdw. on pr. fm. 12 x $13\frac{1}{2}$ x 24. Off. of supt. of sch., 2nd fl.

339. (TRUSTEES' ANNUAL REPORT, TREASURER'S REPORT), 1936. 1 bdl.
Missing: 1881-1913. 1914-35 in Trustees' Report, Annual Report,
Claims for State Aid, entry 340; 1937-- in Annual Reports,
entry 338.

Township treasurer's annual report for school trustees, showing district, township, and range numbers, balance on hand, amount of distribution, general and financial statistics of receipts and disbursements, and date of report. Arr. by date of report. No index. Hdw. on pr. fm. 15 x 10 x 2. Supt. of sch. strm., 2nd fl.

340. TRUSTEES' REPORT, ANNUAL REPORT, CLAIMS FOR STATE AID, 1914-35.
21 bdl.

Annual reports of superintendent of schools, showing township and range numbers, enrollment, annual salaries of elementary and high school teachers, length of service in district, promotion of health and attendance, libraries, general and financial statistics, list of receipts and disbursements of townships, teacher's certificates, number of certificates registered, and districts employing two or more teachers. Also contains (Trustees' Annual Report, Treasurer's Report), entry 339, and (Claims for State Aid), 1932-34, entry 341. Arr. by date of report. No index. Hdw. on pr. fm. 15 x 10 x 2. Supt. of sch. strm., 2nd fl.

For subsequent reports of supt. of schools, see entry 338.

341. (CLAIMS FOR STATE AID), 1926-31. 4 bdl. 1932-34 in Trustees' Report, Annual Report, Claims for State Aid, entry 340; 1935-- in Annual Reports, entry 338.

School district reports of claims for state aid, showing district number, name of school, total equalized assessed valuation of all taxable property in district, description of amounts of school district levies, number of teachers and pupils, attendance record, general apportionment based on attendance of pupils, total amount of claim, budget outlining educational expenses, total estimate for year, affidavit of secretary of school board, signatures of township treasurer, teacher, and superintendent of schools, and date of filing. Arr. by date of filing. No index. Hdw. on pr. fm. 15 x 8 x 1. Supt. of sch. strm., 2nd fl.

342. RATING SHEETS, 1937--. 2 f.b.

Elementary school annual report and rating scale showing name of school, district number, assessed valuation, tax rate, enrollment by grades, number of teachers, names and addresses of teachers and clerk of school board, rating scale, buildings, grounds, equipment, teachers', and pupils' rating, community relationship, administration, program of studies, special points of merit, and date approved by county superintendent. Arr. by district no. No index. Hdw. on pr. fm. 14 x 10 x 7 - 12 x 13 $\frac{1}{2}$ x 24. 1 f.b., 1937-38, supt. of sch. strm., 2nd fl.; 1 f.b., 1939--, off. of supt. of sch., 2nd fl.

343. BI-MONTHLY REPORT, 1937--. 3 bdl.

Teachers' bimonthly report to county superintendent of schools, showing school district number, name, age, and grade of pupil, total days of school term, attendance and deportment record, honor roll, list of library books used, name and address of teacher, and date of report. Arr. by district no. No index. Hdw. on pr. fm. 15 x 9 x 2. 2 bdl., 1937-38, supt. of sch. strm., 2nd fl.; 1 bdl., 1939--, off. of supt. of sch., 2nd fl.

344. (TEACHERS' ANNUAL REPORTS), 1928-37. 3 bdl. 1938-- in Annual Reports, entry 338.

Annual report of school teachers, showing name of school, district number, enrollment, number of pupils by grades, length of school term, total and average daily attendance, total days' attendance of all pupils exclusive of tuition pupils, number of eighth-grade graduates or promotions, number of elementary tuition pupils, number of public school buildings, number of teachers contributing to teachers' pension and retirement fund, amount contributed, number of volumes in library, township and range numbers, date of report, and signature of teacher. Arr. by district no. No index. Hdw. on pr. fm. 15 x 10 x 2. Supt. of sch. strm., 2nd fl.

School Treasurers' Bonds
(See also entry 325)

345. TOWNSHIP TREASURER'S BOND, 1921--. 1 f.b.

Bonds of township treasurers, showing names of township, treasurer, and sureties, amount of bond, approval of school trustees, affidavit of treasurer and sureties, township and range numbers, date and amount of bond, and date of filing. Arr. by date of filing. No index. Typed and typed on pr. fm. 5 x 10 x 24. Off. of supt. of sch., 2nd fl.

Correspondence

346. CORRESPONDENCE, 1931--. 5 bdl., 1931-37; 1 f.b., 1938--.

Letters of superintendent of schools relating to functions of his office, showing names of correspondents and dates of letters. Arr. alph. by name of correspondent. No index. Typed. Bdl. 12 x 10 x 2; f.b. 12 x 13 x 24. 5 bdl., 1931-37, supt. of sch. strm., 2nd fl.; 1 f.b., 1938--, off. of supt. of sch., 2nd fl.

XV. SUPERINTENDENT OF HIGHWAYS

From 1839 to 1849 the county commissioners' court exercised jurisdiction over roads and bridges in De Witt County.¹ The court was empowered to locate new roads, to alter or vacate old roads, to divide the county into road districts, and to appoint a supervisor in each district.² The construction and maintenance of roads were effected by means of a labor tax levied on all able-bodied men between the ages of eighteen and fifty,³ however, in 1841 it was changed to twenty-one to fifty.⁴ It was the supervisor's duty to summon these men for work when road labor was needed.

From 1849 to 1859 the county court in De Witt County had control and supervision of public roads and bridges. The substitution of this administrative body for the old county commissioners' court effected no material changes in the earlier set up. The system of road districts was retained and the work of superintending road construction and maintenance continued to be vested in district supervisors.⁵

In 1859, when township organization⁶ was instituted in De Witt County, the care and superintendence of roads became the responsibility of the townships. In 1849, legislation enabling the adoption of this form of county government had provided for the election in each township of a highway commissioner and as many overseers of highways as there were districts in the township. The commissioners at their annual meeting determined necessary action for establishing new roads and repairing, altering, or vacating old roads; the overseers of highways were then required to carry out the commissioners' instructions.⁷ This system of road control and maintenance obtained until 1913 when the office of superintendent of highways was first established.⁸ The boards of highway commissioners which existed prior to that date have continued to function, but their powers are principally subordinated to those of the superintendent of highways.

The superintendent is appointed by the county board. The board submits a list of three to five candidates to the State Department of Public Works and Buildings, which department examines the candidates to

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1. L. 1819, p. 175; R.L. 1827, p. 340; L. 1841, p. 233.
 2. L. 1819, p. 333; L. 1825, p. 130; R.L. 1827, p. 340, 344; L. 1841, p. 233.
 3. L. 1819, p. 334; R.L. 1827, p. 341, 342.
 4. L. 1841, p. 237.
 5. L. 1847, p. 111-13; L. 1849, p. 65; L. 1851, p. 179.
 6. *Ibid.*, p. 65.
 7. L. 1849, p. 212.
 8. L. 1913, p. 524.

determine the person best fitted for the office.¹ The successful candidate holds office for six years and is remunerated in a sum fixed by the county board.

The powers and duties of the superintendent of highways come under the rules and regulations of the Department of Public Works and Buildings. However, the superintendent is subject, upon hearing, to removal by the county board. The superintendent exercises supervision over township, county, and state-aid roads, and bridges and culverts in his county, and is required to perform such other duties as may be proscribed by the chief highway engineer of the state.²

His principal duties are as follows:

1. To prepare plans, specifications, and estimates for all bridges to be built by the county.
2. To supervise the construction and maintenance of county roads and bridges, and state-aid roads.
3. To inspect the highways and bridges in each town or district of his county at least once a year.
4. To advise and direct the highway commissioners in each town or district as to the best methods of repair, maintenance, and improvement of highways and bridges.
5. To approve any purchases in excess of \$200 for materials, machinery, or apparatus to be used in road construction in any town or district.³

He is required to keep the following records:

1. Records of contracts, purchases, and expenditures authorized by himself, the county board, or township commissioners.
2. Maps, plats, blueprints, specifications, etc., arising from his supervision of roads and bridges, or the planning of new construction.
3. Accounts of the funds handled by his office.
4. Reports from other officers or bodies touching upon the affairs of his office; copies of his own reports on the administration of his office; related papers.⁴

1. L. 1921, p. 781; L. 1933, p. 961. From 1913 to 1917 the list was submitted to the State Highway Commission (L. 1913, p. 524). In 1917 this state agency was abolished, and its rights, powers, and duties were vested in the Department of Public Works and Buildings, created in the same year (L. 1917, p. 4,16,24).

2. L. 1921, p. 782; L. 1933, p. 961.

3. L. 1913, p. 523-26.

4. Ibid., p. 525.

Superintendent of Highways -
Commissioners' Record; Construc-
tion and Maintenance Records

(347-353)

Commissioners' Record

347. (STATE-AID ROAD FILES), 1931--. 1 f.b.
Papers requesting state-aid funds, including resolutions passed by county board, certification of funds needed, request of superintendent of highways to Department of Public Works and Buildings for funds, estimates of maintenance costs, and letters regarding state-aid roads. Arr. by subject matter. No index. Typed, and typed on pr. fm. 12 x 17 x 27. Jury rm., 2nd fl.

Construction and Maintenance Records

348. (COUNTY ROADS AND BRIDGES), 1922--. 36 rolls.
Construction plans of roads and bridges, showing location, connections, and material to be used. Arr. by road and sec. nos. No index. 12 x 10 x 2 - 24 x 3 x 3. 1 in. to 25 ft. - 1 in. to 1 mi. Strm. of supt. of hwys., 2nd fl.

349. (HIGHWAY CONSTRUCTION), 1931--. 4 f.b.
Files of highway papers, including petitions, dedications of right of way, bids, contracts, plans of proposed constructions, and correspondence concerning construction. Arr. by subject and name of twp. No index. Typed, and typed and hdw. on pr. fm. 10 x 5 x 16 1/2 - 12 x 17 x 27. 3 f.b., 1931-34, strm. of supt. of hwys., 2nd fl.; 1 f.b., 1936--, jury rm., 2nd fl.

350. (EXPENSE CARDS), 1930--. 1 f.b.
Labor and construction expense record showing name, date, wage rate, type of work performed by each laborer, and claim for payment. Arr. alph. by name of laborer. No index. Hdw. under pr. hdgs. 6 x 9 x 16. Off. of secretary to supt. of hwys., 2nd fl.

351. (COUNTY COST LEDGER), 1933--. 1 v.
Highway construction and maintenance expense ledger, showing date and number of claim, type of expense, location and kind of work, and balance on hand. Arr. by date of claim. No index. 1933-35, hdw. under pr. hdgs.; 1936--, typed under pr. hdgs. 300 p. 12 x 18 x 2. Jury rm., 2nd fl.

352. (PAID BILLS), 1935--. 14 envelopes.
Bills for all types of highway expenses, including office equipment, material, and labor, showing date, amount, purpose, and name of payee. Arr. by date of payment. No index. Hdw., and hdw. and typed on pr. fm. 14 x 11 1/2 x 1/2. Strm. of supt. of hwys., 2nd fl.

353. (COUNTY HIGHWAY FUND), 1929-36. 4 v.
Record of expenses incurred by county highway department for labor, material, and office supplies, showing date, amounts and purpose, name of payee, date of payment, and balance on hand. Arr. by date of payment. No index. Hdw. 150 p. 10 x 8 x 1/2. Jury rm., 2nd fl.

Allotments and Claims

354. COUNTY MOTOR FUEL TAX ALLOTMENT RECORD, 1933--. 1 v.
Record of allotments from motor tax fund, showing section, claim, and warrant numbers, to whom allotted, amount and balance on hand. Arr. by date of allotment and by sec. no. No index. 1933, hdw. under pr. hdgs.; 1934--, typed under pr. hdgs. 125 p. 9 x 12 x 1. Jury rm., 2nd fl.

355. (ALLOTMENT OF MOTOR FUEL TAX BY STATE), 1938--. 1 v.
Lodgers of allotments of motor fuel tax funds, showing date, section and claim numbers, amounts of receipts and disbursements, and balance on hand. Arr. by date of entry. No index. Typed. 25 p. 12 x 15 x 1/2. Off. of secretary to supt. of hwys., 2nd fl.

356. (HIGHWAY CLAIMS), 1934--. 3 f.b.
Copies of highway claims filed with county treasurer for payment, showing number, date, and class of claim, name of claimant, and type and place of service rendered. Arr. by claim no. No index. Typed on pr. fm., and hdw. 6 x 8 1/2 x 16. 1 f.b., 1934-35, strm. of supt. of hwys., 2nd fl.; 2 f.b., 1936--, jury rm., 2nd fl.

357. COUNTY SUPERINTENDENT OF HIGHWAYS CLAIM REGISTER, 1934--. 1 v.
Register of claims filed against highway department and charged against motor fuel tax funds, showing claim and warrant numbers, name of claimant, articles of service, amount, balance on hand, and date of claim. Arr. by warrant no. No index. 1934-35, hdw. under pr. hdgs.; 1936--, typed under pr. hdgs. 250 p. 10 x 16 x 2. Jury rm., 2nd fl.

Reports

358. COUNTY TREASURER'S MONTHLY REPORT ON CONDITION OF HIGHWAY FUND, COUNTY SUPERINTENDENT OF HIGHWAYS. 1935--. 1 v.
Report of county treasurer on condition of motor fuel tax fund, showing balance on hand, deposits for month, amount of cancelled warrants during month, balance on hand, and date of report. Arr. by date of report. No index. Typed on pr. fm. 50 p. 9 1/2 x 12 x 1/2. Off. of secretary to supt. of hwys., 2nd fl.

XVI. SURVEYOR

The office of surveyor was established in the State of Illinois in 1821; the incumbent was an appointee of the General Assembly.¹ During recess of the legislature, nominations were made by the county commissioners' court to the Governor.² From 1835 to 1936, the county surveyor was an elected officer of the county electorate.³ Since September 1936 he has been an appointee of the county board.⁴ His appointment is for a four-year term. He takes and subscribes to an oath which is filed in the county clerk's office. The compensation of the surveyor is \$6 per day and when testing scales a reasonable sum is allowed for cost of transporting apparatus for making the test.⁵

The surveyor is required by law to make all surveys within the bounds of his county that he may be called upon to make by the county board or interested persons. Such surveys include surveys of lands of persons requesting the same, of additions or subdivisions, and marking of county lines. Few changes have been made in the original statutory requirements for the duties of this office. The surveyor may appoint one or more deputies. Any individual requesting a survey must employ his own chainmen subject to the approval of the surveyor.

The surveyor is required by law to keep a well-bound book in which to record all surveys made by him, giving such information as the names of the persons whose land is surveyed and descriptive data of the survey. This record is required to be kept by the surveyor in the recorder's office. The surveyor also preserves his field notes and retains copies of plats.⁶

For surveyor's record mentioned in paragraph above, see entry 108.

1. L. 1821, p. 62; R.L. 1829, p. 172; R.L. 1833, p. 591.

2. Ibid.

3. L. 1835, p. 61,166; R.S. 1845, p. 523; R.S. 1874, p. 455,1050; L. 1903, p. 349.

4. L. 1933, p. 1104. Effective in 1936.

5. L. 1871-72, p. 438.

6. L. 1821, p. 63,64; R.L. 1829, p. 173; R.L. 1833, p. 591-93, 599,600; L. 1845, p. 201; R.S. 1845, p. 524; R.S. 1874, p. 1050; L. 1885, p. 248; L. 1915, p. 575; L. 1933, p. 1104.

XVII. DRAINAGE COMMISSIONERS

For the purpose of protecting public welfare and health the Constitution of 1870, as amended November 29, 1878, gives the General Assembly ample power to provide laws regulating drainage.¹ Drainage districts are quasi-public corporations² and are charged with certain governmental functions in the reclamation of land and improvement of sanitation. The corporate authorities of the drainage districts have power to acquire rights of way,³ borrow money,⁴ issue bonds,⁵ assess damages,⁶ locate, construct, and maintain drains, ditches, and levees for agricultural, sanitary, or mining purposes⁷ and levy assessments on the property benefited.⁸

Whenever a majority of the owners of lands within a district proposed to be organized, who are of lawful age and represent one third in area of said lands, or one third of such owners representing a major portion in area of said lands, desire to construct a drain, ditch, levee, or other work known as "drainage or levee work," they may file a petition in the county court with such particulars as are required by statute and ask for the organization of a drainage district.⁹ In union districts the petition may be filed with the clerk of the town in which the greater part of the district lies.¹⁰

When the costs of any proposed drain, ditch, levee, or other work authorized by the drainage act, will not exceed the sum of \$2,000, the petition may, if the petitioners shall so elect, be filed with a justice of the peace in the county where the land to be affected or the major part of it is situated; and the assessment of damages and benefits shall be conducted before such justice in the same manner, as near as may be, as cases commenced by petition before a county court.¹¹

1. Art. IV, sec. 31.

2. Turner vs. Hunt Drainage District (U.S.C.C.A. Ill.), 87 Federal Reporter 167.

3. L. 1885, p. 83,84.

4. L. 1879, p. 131,132; L. 1895, p. 76,125; L. 1913, p. 266,267; L. 1929, p. 378; L. 1933, p. 509,510.

5. L. 1885, p. 76; L. 1895, p. 162; L. 1917, p. 433,434.

6. L. 1879, p. 126; L. 1909, p. 187; L. 1913, p. 263,264.

7. L. 1885, p. 79,80.

8. Ibid., p. 62,84-86; L. 1891, p. 102; L. 1919, p. 446,447; L. 1925, p. 365,366.

9. L. 1879, p. 120,121; L. 1885, p. 78,93-95,110-15; L. 1907, p. 275, 276; L. 1913, p. 261.

10. L. 1885, p. 93.

11. Ibid., p. 130.

Drainage Commissioners

If the court grants the petition, it enters an order to that effect and appoints three commissioners to examine and survey the proposed lands. When they have completed their work the commissioners make a report to the court with recommendations and copies of surveys, maps, plats, and estimates.¹ Districts are of three kinds: regular, which is composed of property lying in a single town; union, where the lands organized lie in two towns; and special, with three or more towns involved.² It is in the last named in which the commissioners may be elected and the county clerk of the county in which proceedings are instituted is clerk, ex officio.³

After the commissioners' report on a proposed district has been made the court completes the organization by modifying or confirming this report after all interested parties have had an opportunity to be heard.⁴ Appeals or writs of error are allowed to the Supreme Court,⁵ but an appeal by one or more persons does not operate to defer confirmation in other cases.⁶

In regular and union districts, in counties under township organization, the supervisor of the town in which the district is situated becomes the treasurer of the district. When the district lies in two towns, the supervisor of one of the towns, to be designated by the commissioners, becomes the treasurer.⁷ The county treasurer of the county in which the proceedings for the organization of a special drainage district are commenced and district organized, is the collector and treasurer of such district.⁸

The corporate power⁹ of regular districts is vested in three commissioners appointed by the county court;¹⁰ and in union districts may be in three commissioners selected by the town clerk from the commissioners of highways of the two towns.¹¹ Such powers in special drainage districts may be exercised by three elected commissioners of the district.¹² In

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1. L. 1879, p. 122,155; L. 1885, p. 78,93-95,110-15; L. 1907, p. 277,278; L. 1913, p. 262,263.
 2. L. 1879, p. 155; L. 1885, p. 93,94,113.
 3. Ibid., p. 95; L. 1919, p. 467; L. 1929, p. 290.
 4. L. 1879, p. 124,125; L. 1885, p. 94,95.
 5. L. 1909, p. 186,187; L. 1913, p. 262,263; L. 1933, p. 508,509; L. 1935, p. 766,767.
 6. Ibid.
 7. L. 1885, p. 78.
 8. Ibid., p. 104.
 9. Ibid., p. 121.
 10. Ibid., p. 112.
 11. Ibid., p. 93.
 12. L. 1879, p. 156; L. 1885, p. 95.

regular districts the commissioners appoint one of their number to act as secretary.¹ The town clerk is clerk of the drainage commissioners of all drainage districts lying wholly within his town and of all union drainage districts the major portion of which lies in his town.² Sanitary districts,³ and river conservancy districts⁴ may also be organized along similar lines. The commissioners receive \$3 per day for time actually employed in the discharge of the duties of their office. However, in special districts they may be allowed their necessary traveling expenses.⁵ Three kinds of districts, regular, union, and special are maintained in De Witt County.

The following records belong to the drainage commissioners:

1. Records of bonds issued.
2. Assessment books.
3. Petitions of owners of land to stay assessments, orders of commissioners thereon, and other proceedings.
4. State auditor's certificates of interest due on bonds.
5. Tax lists showing pro rata share of levy for bond interest (union and special districts only).
6. Copies of reports to county court on conditions of district and estimated expenditures; and to county treasurer on delinquent lands; maps and plats, surveys, and estimates; office transactions.⁶

The first two records are required to be kept in separate books, the next three generally are known as the "Drainage Record," and the remaining records are kept desultorily.

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1. L. 1885, p. 113.
 2. L. 1915, p. 390.
 3. L. 1907, p. 289; L. 1933, p. 515.
 4. L. 1925, p. 346.
 5. L. 1933, p. 506.
 6. L. 1879, p. 120-34; L. 1885, p. 78-104.

359. BARNETT SPECIAL DRAINAGE DISTRICT, 1908--. 2 f.b. Last entry 1929.

Papers of Barnett special drainage district, including petition to organize special drainage district, notices of election, poll books, tally sheets, minutes of meetings of drainage commission, bills and claims allowed, petition to annex lands, orders organizing district, assessment of damages, levy of special tax, assessment roll, grant of right of way, contracts, notice of publication roll, engineers' estimate of cost, maps and plans, reports and oaths of commissioners, and date of filing. No obvious arr. No index. Hdw., typed, hdw. on pr. fm., typed on pr. fm., printed, and hdw. under pr. hdgs. 11 x 5 x 14. Co. clk.'s off., 1st fl.

360. BARNETT SPECIAL DRAINAGE, 1908--. 1 v. (A). Last entry 1937. Transcript of proceedings of Barnett special drainage district, including bond for costs of organization, drainage notice, certificate of mailing notice and publication, findings of court, order appointing commissioners, reports of commissioners and engineers, order organizing district, election notice, affidavits of posting election notice, oaths of commissioners, report of special election, report and certificate of judges of election, orders of annexation, order of commissioner to file classification and map, grant of right of way, contracts, commissioners' bonds, minutes of meetings, and special assessment tax list. Arr. by date of instrument. Indexed alph. by subject matter. Hdw. and typed. 300 p. 18 x 12 x 2. Co. clk.'s vlt., 1st fl.

361. CLINTONIA SPECIAL DRAINAGE DISTRICT, 1904--. 2 f.b. Last entry 1927. Original papers of Clintonia special drainage district, including all types of documents shown in entry 359. No obvious arr. No index. Nature of recording varies. 11 x 5 x 14. Co. clk.'s off., 1st fl.

362. TRANSCRIPT SPECIAL DRAINAGE, 1905--. 1 v. (A). Last entry 1937. Transcript of Clintonia special drainage district records, embracing Barnett, Clintonia, and Wapella townships, and including the same types of records shown in entry 360. Arr. by date of filing. Indexed alph. by subject matter. Typed and hdw. 300 p. 17 x 15 x 2. Co. clk.'s vlt., 1st fl.

363. DE WITT SPECIAL DRAINAGE DISTRICT, 1909--. 1 f.b. Last entry 1927. Drainage district papers including the same types of papers as those listed in entries 359 and 361. No obvious arr. No index. Nature of recording varies. 11 x 5 x 14. Co. clk.'s off., 1st fl.

364. DE WITT SPECIAL DRAINAGE, 1909--. 1 v. (A). Last entry 1936. Transcript of proceedings of De Witt special drainage district in counties of De Witt and Piatt, including same types of records as shown in entries 360, 362. Arr. by date of proceedings. Indexed by subject matter. Typed and hdw. 300 p. 18 x 13 x 2. Co. clk.'s vlt., 1st fl.

365. FRIEND'S CREEK SPECIAL DRAINAGE DISTRICT, 1904--. 3 f.b. Files of Friend's Creek special drainage district papers, including same types of papers as those listed in entries 359, 361, 363. No obvious arr. No index. Nature of recording varies. 11 x 5 x 14. Co. clk.'s off., 1st fl.

366. TRANSCRIPT SPECIAL DRAINAGE, 1906--. 1 v. (2).

Transcript of proceedings of Friend's Creek special drainage district in De Witt and Piatt counties, including same types of records as those shown in entries 360, 362, 364. Arr. by date of proceedings. Indexed alph. by subject matter. Hdw. and typed. 300 p. 18 x 13 x 2. Co. clk.'s vlt., 1st fl.

367. GOOSE CREEK DRAINAGE DISTRICT, 1905-23. 2 f.b.

Files of Goose Creek drainage district papers, including same types of papers as those listed in entries 359, 361, etc. No obvious arr. No index. Nature of recording varies. 11 x 5 x 14. Co. clk.'s off., 1st fl.

368. TRANSCRIPT SPECIAL DRAINAGE GOOSE CREEK, 1905--. 1 v. Last entry 1936.

Proceedings of Goose Creek special drainage district in De Witt and Piatt counties, including same types of records as those shown in entries 360, 362, etc. Arr. by date of subject matter. No index. Hdw. and typed. 300 p. 17 x 14½ x 1½. Co. clk.'s vlt., 1st fl.

369. HARMONY DRAINAGE (District), 1919-33. 1 f.b. Last entry 1933.

Files of Harmony drainage district papers, including same types of papers as those listed in preceding entries. Arr. by date of entry. No index. Typed. 11 x 5 x 14. Co. clk.'s off., 1st fl.

370. NIXON SPECIAL DRAINAGE DISTRICT, 1908--. 3 f.b.

Original files of Nixon special drainage district, including same types of papers as those listed in preceding entries. No obvious arr. No index. Nature of recording varies. 11 x 5 x 14. Co. clk.'s off., 1st fl.

371. NIXON SPECIAL DRAINAGE, 1908-11. 1 v. (A).

Proceedings of Nixon special drainage district in De Witt and Macon counties, including same types of records as those listed in preceding entries. Arr. by date of filing. Indexed alph. by subject matter. Typed. 270 p. 19 x 13 x 2. Co. clk.'s vlt., 1st fl.

372. DRAINAGE RECORD, 1884-1908. 1 v.

Record of meetings and rulings of drainage commission of Nixon Township, showing date of meeting, name of land owner, location and description of lands, number of acres, amount of damages, benefits and value of land taken. Arr. by date of meeting. No index. Hdw. 290 p. 14 x 9 x 1½. Co. clk.'s vlt., 1st fl.

373. TEXAS SPECIAL DRAINAGE (District), 1908-12. 1 f.b.

Files of Texas special drainage district papers, including all types of documents listed in preceding entries. No obvious arr. No index. Nature of recording varies. 11 x 5 x 14. Co. clk.'s off., 1st fl.

374. TEXAS SPECIAL DRAINAGE, 1909. 1 v.

Transcript of proceedings of Texas special drainage district in De Witt and Macon counties, including all types of records listed in preceding entries. Arr. by date of filing. Indexed alph. by subject matter. Typed. 300 p. 18 x 13 x 1½. Co. clk.'s vlt., 1st fl.

375. FARMER CITY SEWER SYSTEM, 1904-14. 1 f.b.

Papers of Farmer City sewer system, including application for drainage improvements, report of drainage commission, objection to application, receipts for clerk costs, receipts of county treasurer, motion for rules on objections, order appointing commission, appeal from circuit to Supreme Court, special assessment for water system, assessment roll, contract for paving, and motion for new trial. No obvious arr. No index. Nature of recording varies. 11 x 5 x 14. Co. clk.'s off., 1st fl.

XVIII. DEPARTMENT OF PUBLIC WELFARE

Matters relating to public assistance and welfare in the county are handled by the department of public welfare, which was established in 1937 as successor to the county commission of public welfare.¹ This department consists of the superintendent of public welfare and a staff selected by him in accordance with, and subject to, the approval of the State Department of Public Welfare.

The county board submits to the state department a list of five residents as candidates for the office of superintendent. An eligible list of these candidates is prepared by the state department by competitive examination and certified to the county board. The board in turn makes an order appointing one of the eligibles as superintendent of public welfare.² The salary of the superintendent of the department of public welfare is fixed by each General Assembly.³

The superintendent is charged with all the executive and administrative duties and responsibilities of the department of public welfare. He is subject to the rules and regulations of, and removal by, the state agency.⁴

This officer has power and it is his duty to:

1. Have charge and develop plans for the administration of old age assistance.
2. Investigate and study problems of assistance, correction, and general welfare within his county.
3. Cooperate with the State Department of Public Welfare in the operation of welfare plans and policies in his county.
4. Maintain such records and file such reports with the State Department of Public Welfare as that department may require.
5. Serve as agent and executive officer of the State Department of Public Welfare in the administration of all forms of public assistance administered by that department.⁵

1. L. 1935-36, First Sp. Sess., p. 70-73; L. 1937, p. 451.

2. Ibid., p. 451,452.

3. Ibid., p. 149; L. 1939, p. 200.

4. L. 1937, p. 452.

5. L. 1935-36, First Sp. Sess., p. 72; L. 1937, p. 452.

All the records of the county department are subject to the inspection and supervision of the agents of this central authority.

Federal legislation was enacted in 1935 to provide for the general welfare by establishing a system of Federal old age benefits. In order to participate in the benefits of this act,¹ the several states were required to submit plans for old age assistance. Illinois passed legislation complying with this act the same year.² Today, the Federal Government pays to Illinois one half of the sums expended on old age assistance.

The department of public welfare administers old age assistance and is subject to the rules and regulations of the state department.³ Upon receipt of an application the department makes an investigation of the case. In the course of the investigation the department is allowed to hold hearings and compel the attendance of witnesses and the production of papers and books.⁴

Old age assistance records and accounts are kept as prescribed by the state department. All applications and records in these matters are considered public records.⁵

376. (INDEX TO FILES), 1936---. 2 f.b.

Card index to old age assistance files, showing name and address of applicant, case number, name of investigator, dates of application and approval, and disposition of case. Also used as index to (Old Age Assistance Files, Active), entry 378; (Old Age Assistance Files, Closed), entry 379; and (Correspondence and Miscellaneous), entry 381. Arr. alph. by name of applicant. Typed on pr. fm. 3 x 5 x 10. Dept. of public welfare off., 1st fl., Conklin Bldg.

377. (STATISTICAL INDEX AND RECORD TO FILES), 1936---. 2 f.b.

Card index and record to old age assistance files, showing name and address, applicant's number, marital status, date of birth, living arrangements, relationship, others in household, race, sex, dates of filing, approval or denial, reinstatement, and district or township. Also used as index to (Old Age Assistance Files, Active), entry 378, and (Old Age Assistance Files, Closed), entry 379. Arr. by case no. Typed on pr. fm. 5 x 8 x 10. Dept. of public welfare off., 1st fl., Conklin Bldg.

1. 49 U.S. Stat. 620.

2. L. 1935, p. 260.

3. Ibid., p. 259,260; L. 1935-36, First Sp. Sess., p. 54,55; L. 1937, p. 265.

4. L. 1935-36, First Sp. Sess., p. 57-59; L. 1937, p. 267,268.

5. Ibid., p. 268,269.

378. (OLD AGE ASSISTANCE FILES, ACTIVE), 1936--. 2 f.b.

Active old age assistance files, including applicant's consent and authority to examine financial records, proof of age and naturalization, affidavits of identity, proof of citizenship, assistance report of children, request for raise in award, appointment and reports of responsible person for applicant, notice of change of address, transfer acceptance from foreign county, report on real estate of applicant, request for insurance information, application for permission for absence from the state, notice of appeal, application for old age assistance, investigator's report and recommendation, summary of case, and social data card. Arr. by case no. For index, see entries 376, 377. Typed on pr. fm. 10 x 14 x 28. Dept. of public welfare off., 1st fl., Conklin Bldg.

379. (OLD AGE ASSISTANCE FILES, CLOSED), 1936--. 2 f.d.

Closed cases of applications for old age assistance, including investigators' reports and recommendations, applicant's consent and authority to examine financial records, proof of age and naturalization, affidavit of identity, proof of citizenship, assistance reports of children, requests for raise in award, appointment and reports of responsible person for applicant, funeral directions, statement of deceased applicant, report on assets and liabilities for burial allowances, notices of change of address, transfer acceptances from foreign counties, reports on real estate of applicants, requests for insurance information, applications for permission for absence from the state, notices of appeal, summary of case, social data card, and letter relating to applicant. Arr. by case no. For index, see entries 376, 377. Typed on pr. fm. 10 x 14 x 28. Dept. of public welfare off., 1st fl., Conklin Bldg.

380. (REGISTER), 1936--. 1 v.

Register of applicants for old age assistance, showing date of application, applicant's name and number, residence, and disposition of case. Arr. by date of application. No index. Hdw. under pr. hdgs. 50 p. $9\frac{1}{2}$ x 15 x $\frac{1}{2}$. Dept. of public welfare off., 1st fl., Conklin Bldg.

381. (CORRESPONDENCE AND MISCELLANEOUS), 1936--. 1 f.d.

Public welfare correspondence of county superintendent and central officer; also contains old age assistance cases under investigation, showing name and address of applicant, case and application numbers, and signature of investigator. Arr. alph. by name of division and by case no. thereunder. For index, see entries 376, 377. Typed and typed on pr. fm. 10 x 8 x 14. Dept. of public welfare off., 1st fl., Conklin Bldg.

XIX. COUNTY HOME

One phase of public assistance is administered by the county home. All county poorhouses, poor farms, and institutions for the support and care of indigents in Illinois are known as county homes.¹ County poorhouses and farms have existed in this state under statutory provisions for nearly a century. The legislation creating these county establishments for the indigent has changed little since the original enactments. The county boards of the various counties may establish a county home, and are granted the following powers:

1. To acquire by purchase, grant, gift, or devise, a suitable tract or tracts upon which to erect and maintain a county poorhouse and other necessary buildings, and for the establishment and maintenance of a farm for the employment of the poor.
2. To receive gifts and bequests to aid in the erection and maintenance of the poorhouse, or in the care of the indigents.
3. To make rules and regulations for the same.
4. To appoint a keeper of the poorhouse and all necessary agents and servants for the management and control of the poorhouse and farm, and to prescribe their compensation and duties.
5. To appoint a county physician and prescribe his compensation and duties.
6. To appoint an agent to have the general supervision and charge of all matters in relation to the care and support of the poor, and to prescribe his compensation and duties.
7. To make the necessary appropriations for the erection and maintenance of the county home.²

Records of the county home are prepared and kept by the keeper (superintendent) of the home. He is required to keep an account showing the name of each person admitted to the county poorhouse, the time of his admission and discharge, the place of his birth, and the cause of his dependency. He is also required, at the same time each year, to file with the county clerk of his county a copy of this record together with a statement showing the average number of persons kept in the poorhouse each month during the year.³ The compensation of the superintendent is fixed by the county board.⁴

1. L. 1919, p. 699; L. 1935, p. 1058.

2. L. 1839, p. 139; R.S. 1845, p. 404,405; L. 1861, p. 180; R.S. 1874, p. 757; L. 1917, p. 638,639; L. 1919, p. 698,699; L. 1935, p. 1057,1058.

3. R.S. 1874, p. 758.

4. L. 1917, p. 639; L. 1919, p. 698; L. 1935, p. 1058.

382. RECORD OF INMATES, 1894--. 2 v. Title varies: Almshouse Register, 1 v., 1894-1900.

Register of inmates of county home, showing name of inmate, date and place of birth, residence, age, sex, color, education, occupation, marital status, names of township, supervisor, and parents of inmate, date and number of admittance to home, cause of pauperism, and dates of discharge and death. Arr. by case no. No index. Hdw. under pr. hdgs. 160 p. 16 x 14 x $1\frac{1}{2}$. Front rm. supt.'s residence, 1st fl.

383. (RECEIPTS AND EXPENDITURES), 1911--. 2 v.

Record of receipts and expenditures of county home, showing name of payer, purpose and amount of receipt or disbursement, and date of payment. Arr. by date of receipt or disbursement. No index. Hdw. 184 p. 9 x 7 x 1. Front rm., supt.'s residence, 1st fl.

384. JOURNAL (Inventory Record), 1932--. 1 v.

Lists of chattel property of county home, showing description of each item, estimated value, and date of inventory. Arr. by date of inventory. No index. Hdw. 100 p. 7 x 5 x 1. Front rm., supt.'s residence, 1st fl.

XX. TUBERCULOSIS SANITARIUM BOARD

In 1909 the powers of the county were extended to permit the establishment of a sanitarium for the care and treatment of county residents suffering from tuberculosis.¹ This provision was greatly amplified in an act of 1915 which described in detail the conditions necessary to the establishment of such an institution and the manner in which it was to be supported, managed, and controlled.²

The act provided that whenever one hundred legal voters in a county should petition the county board to levy a tax for the establishment and maintenance of a tuberculosis sanitarium, the board was required to submit the question to the voters of the county at the next regular general election. A favorable majority of all votes cast upon the proposition was necessary for adoption.³ In the original legislation of 1915 the amount of the tax levy was limited to not more than three mills on the dollar annually on all taxable property in the county.⁴ This limit was lowered in 1923 to two mills,⁵ and further reduced in 1929 to one and one-half mills,⁶ the present statutory requirement. The money thus received was to be set apart in a special Tuberculosis Sanitarium Fund.⁷

The management of the sanitarium was vested in a board of three directors appointed by the president or chairman of the county board with the approval of that body. The directors were to serve for three years.⁸ Vacancies on the board were to be filled in the manner in which the original appointments were made. Immediately after their appointment, the directors were required to meet and elect from their number a president, secretary, and such other officers as they might deem necessary.⁹ The county electorate voted on November 5, 1918,¹⁰ for the levying of a tax to establish such an institution; the first board of directors was appointed on June 10, 1919.¹¹

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1. L. 1909, p. 162.
 2. L. 1915, p. 346-49.
 3. Ibid., p. 346, 347.
 4. Ibid., p. 346.
 5. L. 1923, p. 302.
 6. L. 1929, p. 304.
 7. L. 1915, p. 346; L. 1923, p. 302; L. 1929, p. 304, 305.
 8. The first three directors, however, were required to serve for irregular terms of one, two, and three years in order to permit the appointment of one new director annually. The particular term each director was to serve was decided by lot (L. 1915, p. 347).
 9. L. 1915, p. 347.
 10. Supervisors' Record, v. H, p. 87, see entry 2.
 11. Ibid., p. 118.

Today the powers and duties of the board of directors are essentially the same as in 1915. The directors have been given broad powers in the control and management of any sanitarium, all dispensaries, or auxiliary institutions and activities established or carried on under the provisions of the act of 1915 and the subsequent legislation.¹ They are granted exclusive control of the expenditure of all moneys collected to the credit of the fund and may receive, in the name of the county, contributions or donations to the sanitarium of money or property. Persons desiring to make a donation, bequest, or devise of any money, personal property, or real estate may vest the title to such property in the board of directors who, upon acceptance, hold and control it and act as special trustees. Otherwise, all moneys received for the use of the sanitarium are deposited in the county treasury within a month after their receipt, to be drawn upon only by the proper officers upon presentation of properly authenticated vouchers of the board of directors. When such a deposit is made the board is required to secure a receipt from the treasurer.²

Since 1923, to insure greater working efficiency, counties maintaining tuberculosis sanitariums have been permitted to convey property acquired for such purposes to any adjacent county or counties upon such terms and conditions as the respective county boards agree on by a majority vote of all members of each board. In the same year it was also provided that counties without public tuberculosis facilities might use funds secured for that purpose to give patients sanitarium care in private or public sanitariums of the state.³ The Tuberculosis Sanitarium Fund of De Witt County is distributed under this latter provision, as no county sanitarium is maintained. Patients are sent to St. John's Sanitarium and Dr. Palmer's Sanitarium, Springfield, Illinois.

The directors are required to return to the county board monthly a list of the names of all persons making contributions and donations, the amount and nature of the property so received, and the date of its receipt. On or before the second Monday in June in each year, the directors make an annual report to the county board, stating the condition of their trust on the first day of June, the various sums of money received from all sources and how and for what purpose expended, the number of patients, and other pertinent statistics, information, and suggestions.⁴

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1. L. 1915, p. 346-49; L. 1923, p. 302,303; L. 1929, p. 304,305; cf. Ill. Rev. Stat. 1939, p. 984-88.
 2. L. 1915, p. 347-49.
 3. L. 1923, p. 303.
 4. L. 1915, p. 348,349.

XXI. FARM BUREAU

De Witt County Farm Bureau was organized on May 25, 1918¹ to promote and foster the social and economic interest of persons engaged in agriculture, and to encourage, promote, and foster cooperative organizations for the mutual benefit of its members. The membership of this bureau is made up of farmers of the county. A farm advisor is employed who cooperates with the University of Illinois College of Agriculture in its program of extension education and farm studies, and to work with farm leaders in establishing such organizations as 4-H clubs and Dairy Herd Improvement Associations.

In 1914 Congress inaugurated a program of agricultural extension education by providing for cooperation between the agricultural colleges in the several states and the United States Department of Agriculture.² The purpose of the act was to aid in diffusing useful and practical information on subjects relating to agriculture and home economics, and to encourage the application of the same. An appropriation was made to each state to carry out the act, subject to the assent by the state legislature to the provisions of the act, and provided that the state appropriate a sum equal to that given by the Federal Government.³ The General Assembly assented to this act by a joint resolution which authorized and empowered the trustees of the University of Illinois to receive the grants of money appropriated under the act, and to organize and conduct agricultural extension work in connection with the college of Agriculture of the University.⁴

The General Assembly appropriated money in 1917 for the payment of county agricultural advisors.⁵ The money was appropriated to the Department of Agriculture to be distributed equally among the several county agricultural advisors of the state to apply upon their salaries. The vouchers approved by the Department of Agriculture for payment were to be accompanied by a certificate of the agricultural college of the University of Illinois that the requirements of the act relative to the employment of county advisors had been substantially applied. In 1928, to further develop the cooperative extension system in agriculture and home economics, Congress appropriated additional sums of money, eighty percent of which

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1. The predecessor of the farm bureau was the De Witt County Farm Improvement Association which was organized February 12, 1918, and by change of name became known as the De Witt Farm Bureau May 25, 1918.
 2. 38 U.S. Stat. 372.
 3. *Ibid.*, p. 373.
 4. L. 1915, Joint Resolutions, p. 732.
 5. L. 1917, p. 85.

were to be utilized for the payment of salaries of extension agents in counties of the several states.¹ The farm advisor is paid by the State and Federal governments in a sum that is determined by each appropriation.²

1. 45 U.S. Stat. 711.

2. L. 1939, p. 154.

XXII. HOME BUREAU

De Witt County Home Bureau was organized in 1935 to carry on adult education on all home economics subjects. The home economics club may participate in the appropriation for the fund known as the "Agricultural Premium Fund," providing that such club conducts at least one show or exhibition of home economics project work and promptly pays in cash the premiums awarded. A home advisor is employed who cooperates with the University of Illinois College of Agriculture, the State Department of Agriculture, and the U.S. Department of Agriculture in their program of extension education and home economics studies.¹

In 1915 the General Assembly adopted a joint resolution accepting the provisions and requirements of an act of Congress,² passed the previous year, which act provided for cooperative extension work between the agricultural colleges in the several states receiving the benefits of appropriations under the Federal statute.³ This resolution granted the trustees of the University of Illinois permission to accept the grants of money, made available under the statute, to aid in providing helpful instruction on subjects relating to home economics and agriculture, and in payment of the salaries of extension agents.⁴

The General Assembly appropriated money in 1917 to the Department of Agriculture for the payment of county agricultural advisors.⁵ In order to further the cooperative extension system between the agricultural and home economics work, this appropriation was to be distributed equally among the several county agricultural advisors. The vouchers were to be accompanied by the certificate of the agricultural college of the University of Illinois that the requirements of the Federal act had been met. In 1928, Congress appropriated additional sums of money, eighty percent of which were to be utilized for the payment of salaries of extension agents in counties of the several states.⁶ The home advisor is paid by the State and Federal governments in a sum that is determined by each appropriation.⁷

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1. L. 1929, p. 762; L. 1931, p. 889; L. 1933, p. 1085; L. 1935, p. 1414; L. 1937, p. 1162.
 2. L. 1915, Joint Resolutions, p. 732.
 3. 38 U.S. Stat. 372.
 4. L. 1915, Joint Resolutions, p. 732.
 5. L. 1917, p. 85.
 6. 45 U.S. Stat. 711.
 7. L. 1939, p. 154.

ROSTER OF COUNTY OFFICERS*

(Date after name of officer refers to
date of commission, unless otherwise stated)

County Commissioners' Court**

(The first county administrative body, from 1839 to 1849,
which consisted of three elected commissioners)

John Maxwell, James Vandeventer,
John Hughes, May 15, 1839¹
Russell Post, John Maxwell,
August 5, 1839
James Vandeventer,
August 3, 1840
Franklin Barnett,
August 2, 1841
Timothy Hoblett,
August __, 1842

James Vandeventer,
August 7, 1843
Franklin Barnett,
August 5, 1844
John Maxwell,
August 4, 1845
William Cottingham,
August 3, 1846

* This list was compiled from the following sources:

- A. Secretary of State. Index Department, Election Returns.
Returns from County Clerk to Secretary of State. 1809-47, 78
volumes (1-78), third tier, bay 1; 1848-- , 53 file drawers (2-54),
third tier, bay 2, State Archives Building, Springfield.
- B. Secretary of State. Executive Department.
Certificates of Qualifications. 1819-- , 22 file drawers (1-22),
fourth tier, bay 5, State Archives Building, Springfield.
- C. (1) Secretary of State. Executive Department Official Records.
List of Commissions Issued to County Officers. 1809-1918, 5 vol-
umes, fourth tier, bay 6, State Archives Building, Springfield.
(2) Secretary of State. Executive Department Official Records.
List of Commissions Issued to County Officers. 1869-- , 4 volumes,
room 208, second floor, Secretary of State's Office, Executive
Department, State Capitol Building, Springfield.

Where state records are incomplete or missing, data are secured from
county records; secondary sources are used only when state and county
records are deficient or not available.

- ** By a law passed in 1837, the three commissioners elected in 1838, or
at the first election in counties organized later, were to draw lots
marked one, two, and three years to determine length of term. There-
after, until 1849, one commissioner was to be regularly elected each
year to serve a three-year term. For length of term of other county
board officers, see ch. I, County Board; for length of term of all
other officers, see individual office essays.
1. Commissioners present at first meeting (Commissioners' Record, v. A,
p. 2, 4, in Supervisors' Record, see entry 2). Maxwell drew the one-
year ticket, Vandeventer the two-year and Hughes the three-year tickets
(ibid., p. 9).

Roster of County Officers

County Commissioners' Court (cont.)

William G. Wright, August 2, 1847 (elected)	John Maxwell, August 7, 1848 (elected)
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County Court

(From 1849 until institution of township government in 1859, county business was administered by the county judge and two associate justices acting as the county board)

Daniel Robbins, county judge, November 24, 1849, William Danner, John Maxwell, associate justices, November 6, 1849 (elected), William Y. McCord, associate justice, November 4, 1851 (elected) Daniel Robbins, county judge, November 18, 1853,	Samuel Graham, Charles C. Watson, associate justices, November 8, 1853 (elected) William H. Lafferty, county judge, Samuel E. Clay, associate justice, December 1, 1857, Samuel Graham, associate justice, November 19, 1857,
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County Board of Supervisors

The several township supervisors, one elected from each township, together with any additional and assistant supervisors elected upon proportional representation, make up the membership of the county board of supervisors. Because these supervisors, severally, are township officials and only as a group constitute the county board, they are not commissioned by the state as county officers, and no data concerning them, from which a list could be compiled, are kept by the state. For the same reason, county board records, too, are inadequate for the compilation of a complete and accurate list of supervisors. Therefore, due to these and other limitations, only those mentioned in county board records as members of the first board of supervisors are included in this roster.

De Witt County voted in favor of township organization 1,424 to 308 at the election held November 2, 1858.¹ At a county court meeting held December 9, 1858, A. L. Barnett, Smith D. Jones, and Daniel Dragstrem were appointed commissioners to divide the county into towns.² Their report, naming and bounding thirteen townships, could not be found, but early supervisors' records³ show these original townships and their first supervisors as follows:

Townships	Supervisors
Barnett	Addison Eads

1. Commissioners' Record, v. B, p. 334, in Supervisors' Record, see entry 2.
2. Ibid., p. 342.
3. Supervisors' Record, v. C. p. 1, 3-7, 50, see entry 2.

Townships (cont.)

Supervisors (cont.)

Clinton (Clintonia)
Creek
Marion (De Witt)
Harp
Nixon
Douglas (Rutledge)
Mt. Pleasant (Santa Anna)
Texas
Tunbridge
Wapolla
Waynesville
Wilson

William B. Smith
Benjamin Lisenby
E. O. Day
James T. Willmore
John D. Hutchin
Jonathan Pearson
R. R. Knight
Wilson Allen
Hiram Chandler
George A. Hume
Thomas Robb
Charles Cain

At the first meeting of the first board of supervisors which began on June 6, 1859, George A. Hume was elected chairman. The names of Clinton, Marion, Douglas, and Mt. Pleasant townships were changed to Clintonia, De Witt, Rutledge, and Santa Anna respectively.¹

County Judges

Daniel Robbins,
November 24, 1849,
November 18, 1853
William H. Lafferty,
December 1, 1857
Ad(d)ison A. Eads,
December 11, 1861
Samuel Graham,
December 1, 1865
Jonathan R. Hall,
November 23, 1869
Robert Walker,
November 20, 1873
John J. McGraw,
December 1, 1877
George K. Ingham,
April 13, 1880
George B. Graham,
December 1, 1882
George K. Ingham,
December 6, 1886,
November 26, 1890,
November 26, 1894,
November 22, 1898

E. B. Mitchell,
January 2, 1902
Lott R. Herrick,
November 20, 1902
Fred C. Hill,
November 14, 1904,
November 28, 1906,
November 14, 1910,
November 30, 1914
John Bedinger,
November 25, 1918,
November 29, 1922
W. F. Gray,
November 26, 1926,
November 29, 1930
Rayburn H. Wilson,
October 16, 1934,
November 30, 1934,
November 22, 1938

1. Supervisors' Record, v. C, p. 1-4, see entry 2. John D. Hutchin and Jonathan Pearson are not recorded as present at the first meeting.

Roster of County Officers

Probate Justices of the Peace (Succeeded by the county judge as ex officio judge of the probate court in 1849)

Fleming G. Paine,
May 13, 1839,
September 5, 1839,
August 28, 1843
Daniel Newcomb,
August 27, 1844

Samuel H. Martin,
August 27, 1846
Samuel H. McElhineg
August 18, 1847

County Clerks (Clerks of the county commissioners' court, county court, and county board of supervisors)

John I (J). McGraw,
May 6, 1839 (elected),
August 5, 1839 " ,
August 7, 1843 " ,
August 2, 1847 " ,
December 4, 1849,
November 18, 1853

James E. Stansburry,
November 19, 1857,
December 11, 1861

James Lisenby,
February 7, 1862
December 1, 1865,
November 13, 1869

W. Wallace Graham,
November 20, 1873

Augustus V. Lisenby,
December 1, 1877,
December 1, 1882

Stephen K. Carter,
December 6, 1886

James M. Green,
November 26, 1890
Warren Hickman,
November 22, 1894,
November 30, 1898

Weldon Ward,
November 20, 1902

Edward F. Campbell,
November 26, 1906,
November 25, 1910

Charles F. Kemp,
November 30, 1914

Charles E. Griffin,
November 25, 1918

Harold W. Morris,
November 29, 1922

Clarence A. Nebel,
November 26, 1926,
November 29, 1930

Nolan D. Gentry,
November 30, 1934

Harry B. Gunn,
December 1, 1938

Recorders (In 1849 the circuit clerk became recorder, ex officio)

William Lowery,
May 13, 1839,
August 19, 1839
Robert H. Pool,
March 14, 1842

Zeno H. Blunt,
August 17, 1843
Joseph Nesbit,
August 10, 1847

Roster of County Officers

Circuit Court Clerks

(Prior to 1848, circuit court clerks appointed by circuit judges)

John Warren,	William O. Rogers,
September 4, 1848 (elected)	December 3, 1888,
Robert Lewis,	November 22, 1892,
November 23, 1852,	December 7, 1896
November 17, 1856	Frank E. Harrold,
Joseph J. Kelly,	November 30, 1900,
November 15, 1860,	November 23, 1904,
November 18, 1864	November 25, 1908
William L. Chambers,	Elmer Matz,
November 17, 1868	November 25, 1912,
William H. Harrison,	November 21, 1916
November 19, 1872,	R. G. Mooreland,
November 25, 1876	November 15, 1920
James De Land,	Charles L. Jones,
February 18, 1880	November 28, 1924
John T. Carle,	Minnie D. Lewis,
December 1, 1880	November 30, 1928
Cyrus J. Carle,	Lorine Duff,
July 18, 1884	November 28, 1932,
Fredrick L. Harpster,	November 23, 1936
November 20, 1884	

Sheriff

(Collectors, ex officio, 1844 to 1859)

Edward W. Fears,	Alonzo D. McHenry,
May 13, 1839,	November 18, 1864
August 28, 1840,	Wm. C. McMurry,
August 23, 1842	November 30, 1866
William Mitchel,	Alonzo D. McHenry,
August 9, 1844,	November 17, 1868
August 25, 1846	Thomas Gardiner (Jr.),
William Bolin,	December 5, 1870,
August 17, 1848	November 18, 1872
Ezekiel Lane,	Lyman Barnett,
November 20, 1850	November 17, 1874
William Bolin,	Amos Woodman,
November 23, 1852	November 22, 1876,
William Fuller,	December 2, 1878,
November 16, 1854	December 1, 1880
Harry H. Merryman,	Thomas Gardiner (Jr.),
November 17, 1856	December 1, 1882
Decatur Pool,	Henry C. Henson,
November 23, 1858	December 6, 1886
Barzilla Campbell,	Levi R. Murphy,
November 15, 1860	November 26, 1890
James A. Lafferty,	M. B. Neal,
November 21, 1862	November 26, 1894

Roster of County Officers

Sheriffs (cont.)

Austin R. Shue,
November 22, 1898
Cornelius Hoff,
November 20, 1902
H. A. Campbell,
November 26, 1906
William H. Armstrong,
December 1, 1910
Leslie E. Forbes,
November 30, 1914
J. W. Persons,
November 25, 1918

Bert G. Taylo,
November 28, 1922
Charles McNutt,
November 27, 1926
Fred Callison,
November 29, 1930
Jesse E. McMurphy,
November 30, 1934
Claude Barrett,
November 25, 1938

Coroners

Isaac McCuddy,
May 13, 1839
Henry H. Hall,
August 17, 1840
John M. Richter,
August 9, 1842,
August 9, 1844,
August 27, 1846,
August 17, 1848,
November 20, 1850
Benjamin F. Hall,
November 23, 1852
John M. Richter,
November 16, 1854,
November 17, 1856
Josiah McFarland,
November 23, 1858
William Hull,
November 15, 1860
J. M. Green,
November 21, 1862
John G. Morlan,
November 18, 1864
H. Clay Phares,
March 21, 1867
William W. Hickman,
November 17, 1868
Peter J. Sweeney,
December 5, 1870
William Hefferman,
November 20, 1871
T. D. Bryant,
November 29, 1872

Ezekiel Thomas
December 8, 1874
Darius Hall,
November 22, 1876,
December 2, 1878
Lafayette Ely,
April 16, 1880,
December 1, 1880
Andrew J. Morrow,
December 1, 1882,
December 1, 1884
Cyrus Jones,
December 3, 1888,
November 22, 1892
Robert Emery,
December 7, 1896
Cyrus Jones,
November 30, 1900,
November 29, 1904
Thomas Milligan,
November 25, 1908
Humphrey A. Moore,
November 16, 1912
Charles H. Baker,
November 21, 1916,
November 15, 1920
R. E. Nesbitt,
November 28, 1924
James E. Ely,
November 27, 1928
Lyle L. Crum,
November 28, 1932
Claude Crum,
November 18, 1936

State's Attorneys

(Appointed by the General Assembly 1839 to 1848;
elected by circuit district electorate to 1872)

Stephen K. Carter,
November 29, 1872
William R. Kelley,
November 25, 1876
Edgar S. Van Meter,
June 19, 1879
William H. Booth,
December 1, 1880,
November 4, 1884 (elected),
December 3, 1888
John Fuller,
November 22, 1892,
December 7, 1896
Arthur F. Miller,
November 3, 1900,
November 28, 1904

Vornell T. Brown,
November 25, 1908
Louis O. Williams,
November 16, 1912
Grover C. Hoff,
November 21, 1916
William F. Smith,
November 15, 1920
Wirt Herrick,
November 28, 1924,
November 27, 1928,
November 28, 1932
Emerson M. Williams,
November 18, 1936

Treasurers

(Assessors, ex officio, from 1844 to 1859; supervisors
of assessments 1898 to date; collectors 1859 to date)

Jesse C. McPherson,
May 17, 1839,¹
August 5, 1839 (elected)
William Anderson,
August 3, 1840 (elected)
Charles Malthy,
August 2, 1841 (elected)
Robert H. Pool,
August --, 1842 (elected)
William Mitchell,
August 7, 1843 (elected)
Absalom Hamilton,
August 2, 1847 (elected)
Andrew Jackson,
November 6, 1849 (elected)
Wm. G. Springer,
November 4, 1851 (elected)
Wm. N. Meservey,
November 8, 1853 (elected)
James E. Stansbury,
November 6, 1855 (elected)

James Lisenby,
November 19, 1857
Burrell T. Jones,
November 17, 1859,
November 5, 1861 (elected)
Edward Porter,
November 13, 1863,
November 7, 1865 (elected)
Thomas Kelly,
November 5, 1867 (elected),
November 2, 1869 "
Loren D. Hovey,
November 10, 1871
William Gambrel,
December 3, 1873,
November 24, 1875
James A. Wilson,
December 1, 1877,
December 1, 1879,
December 1, 1882
Stephen K. Carter,
January 31, 1883

1. Appointed, bond approved (Commissioners' Record, v. A, p. 12, in
Supervisors' Record, see entry 2).

Roster of County Officers

Treasurers (Cont.)

Smith Fuller,
December 6, 1886
Hugh S. McGill,
November 26, 1890
Isaiah Wilson,
November 26, 1894
Albert W. Rundle,
November 22, 1898
Joseph T. Maddox,
November 20, 1902
Cornelius Hoff,
November 26, 1906
William M. Price,
December 1, 1910
Frank Stontenborough,
November 30, 1914

Joe E. Cool,
November 15, 1918
David W. Isenhour,
November 29, 1922
Robert P. Callison,
November 27, 1926
Nolan D. Gentry,
November 29, 1930
J. Bernard Trowbridge,
November 28, 1934
Jesse E. McMurphy,
December 1, 1938

Superintendents of Schools
(School commissioners to 1865)

John I. (J) McGraw,
May 17, 1839,¹
August 2, 1841 (elected),
August 7, 1843 " ,
August 4, 1845 " ,
November 6, 1849 " ,
November 4, 1851 " ,
November 8, 1853 " ,
Lawrence Weldon,
November 6, 1855 (elected),
November 19, 1857
Joseph J. Kelly,
November 17, 1859
William H. North,
November 5, 1861 (elected)
Jacob S. Hand,
November 15, 1863

S. K. Carter,
December --, 1867²
Francis M. Vanlue,
November 13, 1869
Mary Welch,
December 3, 1873,
December 1, 1877,
December 1, 1882,
December 6, 1886
Nelson R. Hughes,
November 26, 1890
Hattie P. Wilson,
November 26, 1894,
November 22, 1898
Thomas C. Wampler,
November 20, 1902,
November 26, 1906

-
1. Appointed (Commissioners' Record, v. A, p. 12, in Supervisors' Record, see entry 2).
 2. State records do not show who was elected superintendent of schools in 1865. County board records show Carter submitting annual report at the December term, 1867 (Supervisors' Record, v. C, p. 371, see entry 2).

Superintendents of Schools (cont.)

John L. Costley,
 December 2, 1910,
 November 30, 1914
 Roy Johnson,
 November 25, 1918,
 November 29, 1922

Walter C. Marvel,
 October 25, 1926
 May Porter,
 December 6, 1926,
 December 1, 1930,
 November 27, 1934,
 December 1, 1938

Surveyors

(Beginning September 1936, surveyors
 appointed by county board of supervisors)

Alexander Barnett,
 May 13, 1839,
 August 19, 1839,
 August 17, 1843,
 August 10, 1847,
 November 6, 1849 (elected),
 November 21, 1851,
 November 18, 1853,
 November 13, 1855
 Oliver Lakin,
 November 17, 1859
 John S. Brown,
 December 11, 1861
 Oliver Lakin,
 November 13, 1863
 David Richardson,
 December 1, 1865,
 December 6, 1867
 John S. Brown,
 November 13, 1869,
 November 20, 1871
 David Richardson,
 November 24, 1875
 Alexander L. Barnett,
 December 1, 1879,
 December 1, 1884

David Richardson,
 December 3, 1886,
 December 3, 1888
 John S. Brown,
 November 22, 1892
 John Killough,
 December 7, 1896
 Arthur Moore,
 November 30, 1900
 J. S. Brown (not commissioned),
 December 8, 1903
 W. H. Penny,
 November 8, 1904 (elected)
 John S. Brown,
 November 3, 1908 (elected),
 November 5, 1912 "
 E. F. Campbell,
 November 3, 1914 (elected),
 November 17, 1916 "
 Wm. Bates,
 November 2, 1920 (elected),
 November 4, 1924 "
 Dale Querfeld,
 November 6, 1928 (elected),
 Edward F. Campbell,
 November 8, 1932 (elected)

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1. Shown as surveyor (Illinois Department Secretary of State, Official List of State and County Officers, July 1, 1939, compiled by Edward J. Hughes, p. 13).

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